

**SUBSTITUTE FOR  
SENATE BILL NO. 33**

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 81d (MCL 750.81d), as amended by 2006 PA 517.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 81d. (1) Except as provided in ~~subsections (2), (3), and~~  
2 ~~(4),~~ **THIS SECTION**, an individual who assaults, batters, wounds,  
3 resists, obstructs, opposes, or endangers a person who the  
4 individual knows or has reason to know is performing his or her  
5 duties is guilty of a felony punishable by imprisonment for not  
6 more than 2 years or a fine of not more than \$2,000.00, or both.

7       (2) An individual who assaults, batters, wounds, resists,  
8 obstructs, opposes, or endangers a person who the individual knows  
9 or has reason to know is performing his or her duties causing a  
10 bodily injury requiring medical attention or medical care to that  
11 person is guilty of a felony punishable by imprisonment for not

1 more than 4 years or a fine of not more than \$5,000.00, or both.

2 (3) An individual who assaults, batters, wounds, resists,  
3 obstructs, opposes, or endangers a person who the individual knows  
4 or has reason to know is performing his or her duties causing a  
5 serious impairment of a body function of that person is guilty of a  
6 felony punishable by imprisonment for not more than 15 years or a  
7 fine of not more than \$10,000.00, or both.

8 (4) An individual who assaults, batters, wounds, resists,  
9 obstructs, opposes, or endangers a person who the individual knows  
10 or has reason to know is performing his or her duties causing the  
11 death of that person is guilty of a felony punishable by  
12 imprisonment for not more than 20 years or a fine of not more than  
13 \$20,000.00, or both.

14 (5) This section does not prohibit an individual from being  
15 charged with, convicted of, or punished for any other violation of  
16 law that is committed by that individual while violating this  
17 section.

18 (6) A term of imprisonment imposed for a violation of this  
19 section may run consecutively to any term of imprisonment imposed  
20 for another violation arising from the same transaction.

21 **(7) AN EMPLOYER THAT EMPLOYS A PERSON LISTED IN SUBSECTION**  
22 **(8) (B) (i) TO (xi) SHALL POST A SIGN AT ANY PROPERTY USED BY THE**  
23 **EMPLOYER STATING THAT IT IS A FELONY TO ASSAULT A PERSON LISTED IN**  
24 **SUBSECTION (8) (B) (i) TO (xi) THAT AN INDIVIDUAL HAS REASON TO KNOW**  
25 **IS PERFORMING HIS OR HER DUTIES AS PROVIDED IN THIS SECTION.**

26 **(8) ~~(7)~~—As used in this section:**

27 **(a) "Obstruct" includes the use or threatened use of physical**

1 interference or force or a knowing failure to comply with a lawful  
2 command.

3 (b) "Person" means any of the following:

4 (i) A police officer of this state or of a political  
5 subdivision of this state including, but not limited to, a motor  
6 carrier officer or capitol security officer of the department of  
7 state police.

8 (ii) A police officer of a junior college, college, or  
9 university who is authorized by the governing board of that junior  
10 college, college, or university to enforce state law and the rules  
11 and ordinances of that junior college, college, or university.

12 (iii) A conservation officer of the department of natural  
13 resources or the department of environmental quality.

14 (iv) A conservation officer of the United States ~~department of~~  
15 ~~the interior.~~ **DEPARTMENT OF THE INTERIOR.**

16 (v) A sheriff or deputy sheriff.

17 (vi) A constable.

18 (vii) A peace officer of a duly authorized police agency of  
19 the United States, including, but not limited to, an agent of the  
20 ~~secret service~~ **SECRET SERVICE** or ~~department of justice.~~ **DEPARTMENT**  
21 **OF JUSTICE.**

22 (viii) A firefighter.

23 (ix) Any emergency medical service personnel described in  
24 section 20950 of the public health code, 1978 PA 368, MCL  
25 333.20950.

26 (x) **EMERGENCY ROOM PERSONNEL, INCLUDING, BUT NOT LIMITED TO,**  
27 **PHYSICIANS, NURSES, INTAKE CLERKS, AND ANY OTHER INDIVIDUAL**

1 EMPLOYED IN THE EMERGENCY DEPARTMENT, EMERGENCY ROOM, OPERATING  
2 ROOM, OR TRAUMA CENTER OF A HOSPITAL LICENSED UNDER ARTICLE 17 OF  
3 THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.20101 TO 333.22260.

4 (xi) ~~(x)~~—An individual engaged in a search and rescue  
5 operation as that term is defined in section 50c.

6 (c) "Serious impairment of a body function" means that term as  
7 defined in section 58c of the Michigan vehicle code, 1949 PA 300,  
8 MCL 257.58c.

9 Enacting section 1. This amendatory act takes effect 90 days  
10 after the date it is enacted into law.