

# HOUSE BILL No. 5477

January 14, 1998, Introduced by Reps. Dobronski, Wallace, Hale, Schermesser, Richner, DeHart, McBryde, Scott, Baird, Hanley, Goschka, Harder and Raczkowski and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 215 (MCL 750.215), as amended by 1991 PA  
145.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 215. ~~Any person who falsely assumes or pretends to be~~  
2 ~~a sheriff, deputy sheriff, conservation officer, coroner, consta-~~  
3 ~~ble, police officer, or member of the Michigan state police, and~~  
4 ~~shall take upon himself or herself to act as such, or to require~~  
5 ~~any person to aid and assist him or her in any matter pertaining~~  
6 ~~to the duty of a sheriff, deputy sheriff, conservation officer,~~  
7 ~~coroner, constable, police officer, or member of the Michigan~~  
8 ~~state police, or shall falsely take upon himself or herself to~~  
9 ~~act or officiate in any office or place of authority, shall be~~  
10 ~~guilty of a misdemeanor, punishable by imprisonment for not more~~

~~1 than 1 year, or by fine of not more than \$500.00.~~ (1) A PERSON  
2 WHO IS NOT A PEACE OFFICER OR A COUNTY MEDICAL EXAMINER SHALL NOT  
3 DO ANY OF THE FOLLOWING:

4 (A) INFORM ANOTHER PERSON THAT HE OR SHE IS A PEACE OFFICER  
5 OR A MEDICAL EXAMINER IN ORDER TO PERFORM OR ATTEMPT TO PERFORM  
6 DUTIES LEGALLY ASSIGNED TO A PEACE OFFICER OR COUNTY MEDICAL  
7 EXAMINER.

8 (B) REPRESENT TO ANOTHER PERSON BY UNIFORM, BADGE, IDENTIFI-  
9 CATION CARD, OR ANY OTHER MEANS THAT HE OR SHE IS A PEACE OFFICER  
10 OR A MEDICAL EXAMINER IN ORDER TO PERFORM OR ATTEMPT TO PERFORM  
11 DUTIES LEGALLY ASSIGNED TO A PEACE OFFICER OR COUNTY MEDICAL  
12 EXAMINER.

13 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY  
14 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF  
15 NOT MORE THAN \$1,000.00, OR BOTH.

16 (3) IF AN INDIVIDUAL IS CONVICTED OF ANOTHER VIOLATION ARISING  
17 OUT OF THE SAME TRANSACTION AS THE VIOLATION OF THIS SECTION,  
18 A TERM OF IMPRISONMENT IMPOSED FOR THE VIOLATION OF THIS SECTION  
19 SHALL BE SERVED CONSECUTIVE TO AND PRECEDING THE TERM OF IMPRIS-  
20 ONMENT IMPOSED FOR THE OTHER VIOLATION.

21 (4) AS USED IN THIS SECTION:

22 (A) "COUNTY MEDICAL EXAMINER" MEANS AN INDIVIDUAL APPOINTED  
23 AS A COUNTY MEDICAL EXAMINER UNDER SECTION 1 OF 1953 PA 181, MCL  
24 52.201, OR AS A DEPUTY COUNTY MEDICAL EXAMINER OR MEDICAL  
25 EXAMINER INVESTIGATOR UNDER SECTION 1A OF 1953 PA 181, MCL  
26 52.201A.

- 1 (B) "PEACE OFFICER" MEANS ANY OF THE FOLLOWING:
- 2 (i) A POLICE OFFICER OF THE DEPARTMENT OF STATE POLICE.
- 3 (ii) A POLICE OFFICER OF A CITY, VILLAGE, OR TOWNSHIP.
- 4 (iii) A POLICE OFFICER OF THE UNITED STATES, OR OF ANOTHER
- 5 STATE, OR OF A LOCAL UNIT OF GOVERNMENT OF ANOTHER STATE.
- 6 (iv) A POLICE OFFICER OF A COLLEGE OR UNIVERSITY WHO IS
- 7 AUTHORIZED BY THE GOVERNING BODY OF THAT COLLEGE OR UNIVERSITY TO
- 8 ENFORCE THE CRIMINAL LAWS OF THIS STATE.
- 9 (v) A SHERIFF OR DEPUTY SHERIFF.
- 10 (vi) A CONSERVATION OFFICER OF THIS STATE, OR OF THE UNITED
- 11 STATES, OR OF ANOTHER STATE OR A LOCAL UNIT OF GOVERNMENT OF
- 12 ANOTHER STATE.