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WEARING BODY ARMOR DURING A CRIME: REQUIRE CONSECUTIVE TERMS OF IMPRISONMENT

House Bill 5311

Sponsor: Rep. Larry Julian

Committee: Criminal Law and Corrections

Complete to 4-26-00

A SUMMARY OF HOUSE BILL 5311 AS INTRODUCED 2-8-00

The Michigan Penal Code makes it a felony to commit or attempt to commit a crime that involves a violent act or the threat of a violent act while wearing body armor. The crime is currently punishable by not more than four years imprisonment and/or a fine of not more than \$2,000. The crime of wearing body armor during the commission or attempted commission of a crime is separate crime in addition to the underlying crime or attempted crime. House Bill 5311 would amend the Penal Code to require a term of imprisonment that was imposed for committing or attempting to commit certain crimes while wearing body armor be served consecutively to any term of imprisonment imposed for the underlying crime. For example, if a person committed a robbery at gunpoint while wearing body armor, he or she would face sentence for the robbery (the underlying offense) and for the crime of wearing body armor during the commission of the robbery. The bill would require that the sentence for the robbery and the sentence for wearing body armor would have to be served one after the other.

MCL 750.227f

House Bill 5311 (4-26-00)

Analyst: W. Flory

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.