



HOUSE BILL No. 5579

April 12, 2000, Introduced by Reps. Shackleton, Birkholz, Bradstreet, Vear, Patterson, Garcia, Kowall, Julian, Bovin, Gilbert, Pappageorge, Kuipers, Richardville, Bisbee, DeRossett, Mead, Cameron Brown, LaSata, Pumford, Van Woerkom, Bishop, Kukuk, Scranton, Mortimer and Jansen and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1893 PA 118, entitled

"An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,"

(MCL 800.1 to 800.62) by adding section 37.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 37. (1) AN OFFENDER SHALL NOT INTENTIONALLY MAKE A
2 FALSE ALLEGATION STATING THAT AN EMPLOYEE OF THE DEPARTMENT HAS
3 ENGAGED IN EMPLOYEE MISCONDUCT, KNOWING THE ALLEGATION IS FALSE.
4 AN OFFENDER WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR,
5 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF
6 NOT MORE THAN \$500.00, OR BOTH.

7 (2) AS USED IN THIS SECTION:

1 (A) "ALLEGATION" MEANS A WRITTEN OR VERBAL STATEMENT BY A
2 PRISONER TO AN OFFICER OR EMPLOYEE OF THE DEPARTMENT ALLEGING
3 EMPLOYEE MISCONDUCT.

4 (B) "EMPLOYEE MISCONDUCT" MEANS AN ACTION OR OMISSION BY AN
5 EMPLOYEE OF THE DEPARTMENT THAT CONSTITUTES CRIMINAL ACTIVITY OR
6 IS A VIOLATION OF WORK RULES OR POLICIES THAT MAY RESULT IN DIS-
7 CIPLINARY ACTION AGAINST THAT EMPLOYEE.

8 (C) "OFFENDER" MEANS A PRISONER OR PAROLEE UNDER THE JURIS-
9 DICTION OF THE DEPARTMENT OR A PROBATIONER SUPERVISED BY AN
10 EMPLOYEE OF THE DEPARTMENT.