

HOUSE BILL No. 4781

May 17, 2001, Introduced by Reps. Sanborn, Richner and Bisbee and referred to the Committee on Criminal Justice.

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. (1) ~~Any person who falsely assumes or pretends~~
2 ~~to be a sheriff, deputy sheriff, conservation officer, coroner,~~
3 ~~constable, police officer, or member of the Michigan state~~
4 ~~police, and shall take upon himself or herself to act as such, or~~
5 ~~to require any person to aid and assist him or her in any matter~~
6 ~~pertaining to the duty of a sheriff, deputy sheriff, conservation~~
7 ~~officer, coroner, constable, police officer, or member of the~~
8 ~~Michigan state police, or shall falsely take upon himself or~~
9 ~~herself to act or officiate in any office or place of authority,~~
10 shall be AN INDIVIDUAL WHO IS NOT A PEACE OFFICER OR A MEDICAL

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1 EXAMINER SHALL NOT PERFORM THE DUTIES OF A PEACE OFFICER OR A
2 MEDICAL EXAMINER WITHOUT AUTHORIZATION OR REPRESENT TO ANOTHER
3 PERSON THAT HE OR SHE IS A PEACE OFFICER OR A MEDICAL EXAMINER
4 FOR ANY UNLAWFUL PURPOSE.

5 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), AN INDIVIDUAL WHO
6 VIOLATES SUBSECTION (1) IS guilty of a misdemeanor ~~—~~ punishable
7 by imprisonment for not more than 1 year ~~—~~ or ~~by~~ A fine of
8 not more than \$500.00, OR BOTH.

9 (3) AN INDIVIDUAL WHO, IN VIOLATION OF SUBSECTION (1), PER-
10 FORMS THE DUTIES OF A PEACE OFFICER TO COMMIT OR ATTEMPT TO
11 COMMIT A FELONY OR REPRESENTS TO ANOTHER PERSON THAT HE OR SHE IS
12 A PEACE OFFICER TO COMMIT OR ATTEMPT TO COMMIT A FELONY IS GUILTY
13 OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS
14 OR A FINE OF NOT MORE THAN \$2,000.00, OR BOTH.

15 (4) A SENTENCE IMPOSED UNDER SUBSECTION (3) SHALL BE SERVED
16 CONSECUTIVELY TO ANY TERM OF IMPRISONMENT IMPOSED FOR THE FELONY
17 COMMITTED OR ATTEMPTED AND SHALL NOT BE SUSPENDED.

18 (5) AS USED IN THIS SECTION, "PEACE OFFICER" MEANS ANY OF
19 THE FOLLOWING:

20 (A) A POLICE OFFICER OF THIS STATE OR A POLITICAL SUBDIVI-
21 SION OF THIS STATE.

22 (B) A POLICE OFFICER OF A JUNIOR COLLEGE, COLLEGE, OR UNI-
23 VERSITY WHO IS AUTHORIZED BY THE GOVERNING BOARD OF THAT JUNIOR
24 COLLEGE, COLLEGE, OR UNIVERSITY TO ENFORCE STATE LAW AND THE
25 RULES AND ORDINANCES OF THAT JUNIOR COLLEGE, COLLEGE, OR
26 UNIVERSITY.

1 (C) A CONSERVATION OFFICER OF THE DEPARTMENT OF NATURAL
2 RESOURCES OR THE DEPARTMENT OF ENVIRONMENTAL QUALITY.

3 (D) A CONSERVATION OFFICER OF THE UNITED STATES DEPARTMENT
4 OF THE INTERIOR.