

HOUSE BILL NO. 4323

March 22, 2023, Introduced by Reps. DeSana, Fox, DeBoyer, Bezotte and Friske and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 479d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 479d. (1) Except as otherwise provided in this section,**
2 **an individual who comes within 21 feet of a law enforcement**
3 **officer's parked patrol vehicle, while the law enforcement officer**
4 **is carrying out the law enforcement officer's duties as a law**
5 **enforcement officer, after being instructed not to come within 21**

1 feet of the law enforcement officer's patrol vehicle is guilty of a
2 misdemeanor punishable by imprisonment for not more than 90 days or
3 a fine of not more than \$600.00, or both.

4 (2) This section does not apply to any of the following
5 individuals or circumstances:

6 (a) An individual being detained, searched, or arrested by a
7 law enforcement officer.

8 (b) An individual explicitly permitted to speak with the law
9 enforcement officer and come within 21 feet of the patrol vehicle,
10 so long as the individual returns to a distance of not less than 21
11 feet when requested to do so by the law enforcement officer.

12 (c) An individual merely traversing near the location where a
13 law enforcement officer's patrol vehicle is parked and unknowingly
14 entering the 21-foot protection area.

15 (d) If a law enforcement officer's patrol vehicle is parked in
16 a location where no active investigation or law enforcement
17 business is being conducted by the law enforcement officer.

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