

# HOUSE BILL NO. 5079

September 26, 2025, Introduced by Reps. Mueller, Harris, BeGole, DeBoyer, Rigas and Bruck  
and referred to Committee on Judiciary.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 479b (MCL 750.479b), as added by 1994 PA 33.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 479b. (1) An individual who takes a weapon other than a  
2       firearm from the lawful possession of a peace officer or a  
3       corrections officer is guilty of a felony punishable by  
4       imprisonment for not more than 4 years or a fine of not more than  
5       \$2,500.00, or both, if all of the following circumstances exist at

1 the time the weapon is taken:

2 (a) The individual knows or has reason to believe the person  
3 from whom the weapon is taken is a peace officer or a corrections  
4 officer.

5 (b) The peace officer or corrections officer is performing ~~his~~  
6 ~~or her~~ **the peace officer's or corrections officer's** duties as a  
7 peace officer or a corrections officer.

8 (c) The individual takes the weapon without consent of the  
9 peace officer or corrections officer.

10 (d) The peace officer or corrections officer is authorized by  
11 ~~his or her~~ **the peace officer's or corrections officer's** employer to  
12 carry the weapon in the line of duty.

13 (2) ~~An~~ **Except as otherwise provided in subsection (3), an**  
14 individual who takes a firearm from the lawful possession of a  
15 peace officer or a corrections officer is guilty of a felony  
16 punishable by imprisonment for not more than 10 years or a fine of  
17 not more than \$5,000.00, or both, if all of the following  
18 circumstances exist at the time the firearm is taken:

19 (a) The individual knows or has reason to believe the person  
20 from whom the firearm is taken is a peace officer or a corrections  
21 officer.

22 (b) The peace officer or corrections officer is performing ~~his~~  
23 ~~or her~~ **the peace officer's or corrections officer's** duties as a  
24 peace officer or a corrections officer.

25 (c) The individual takes the firearm without the consent of  
26 the peace officer or corrections officer.

27 (d) The peace officer or corrections officer is authorized by  
28 ~~his or her~~ **the peace officer's or corrections officer's** employer to  
29 carry the firearm in the line of duty.

1           (3) An individual who takes a firearm from the lawful  
2 possession of a peace officer or a corrections officer is guilty of  
3 a felony punishable by imprisonment for not more than 20 years or a  
4 fine of not more than \$5,000.00, or both, if all of the following  
5 circumstances exist at the time the firearm is taken:

6           (a) The individual knows or has reason to believe the person  
7 from whom the firearm is taken is a peace officer or a corrections  
8 officer.

9           (b) The peace officer or corrections officer is performing the  
10 peace officer's or corrections officer's duties as a peace officer  
11 or a corrections officer.

12           (c) The individual takes the firearm without the consent of  
13 the peace officer or corrections officer.

14           (d) The peace officer or corrections officer is authorized by  
15 the peace officer's or corrections officer's employer to carry the  
16 firearm in the line of duty.

17           (e) The individual uses force or violence while taking or  
18 attempting to take the firearm from the peace officer or  
19 corrections officer.

20           (4) ~~(3)~~—This section does not prohibit an individual from  
21 being charged with, convicted of, or punished for any other  
22 violation of law that is committed by that individual while  
23 violating this section.

24           (5) ~~(4)~~—A term of imprisonment imposed for a violation of this  
25 section may run consecutively to any term of imprisonment imposed  
26 for another violation arising from the same transaction.

27           (6) ~~(5)~~—As used in this section:

28           (a) "Corrections officer" means a prison or jail guard or  
29 other employee of a jail or a state or federal correctional

1 facility, who performs duties involving the transportation, care,  
2 custody, or supervision of prisoners.

3 (b) "Peace officer" means 1 or more of the following:

4 (i) A police officer of this state or a political subdivision  
5 of this state.

6 (ii) A police officer of any entity of the United States.

7 (iii) The sheriff of a county of this state or the sheriff's  
8 deputy.

9 (iv) A public safety officer of a college or university who is  
10 authorized by the governing board of that college or university to  
11 enforce state law and the rules and ordinances of that college or  
12 university.

13 (v) A conservation officer of the department of natural  
14 resources.

15 (vi) A conservation officer of the United States ~~department of~~  
16 ~~interior.~~ **Department of the Interior.**

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