

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 1000 (as introduced 3-5-98)
Sponsor: Senator Leon Stille
Committee: Judiciary

Date Completed: 3-10-98

CONTENT

The bill would amend the Michigan Penal Code to prescribe a misdemeanor penalty for the unauthorized possession of a uniform, badge, or other form of identification designated for use by peace officers or substantially identical to such a uniform, badge, or other identification. The bill also would delete the current provision that makes it a misdemeanor for a person to wear, display, or use the badge or uniform of a State Police officer, or a substantially identical badge or uniform, unless the person is a member of the State Police Department.

Under the bill, a person who was not a peace officer could not do either of the following:

- Possess a uniform, badge, or other form of identification designated for use by peace officers of a law enforcement agency without the agency's permission.
- Possess a uniform, badge, or other form of identification substantially identical to a uniform, badge, or other form of identification described above, without the law enforcement agency's permission.

A violation would be punishable by imprisonment for up to 93 days or a maximum fine of \$100, or both. As currently provided, the penalty would not apply to a person participating in a theatrical production.

"Peace officer" would mean one or more of the following:

- A police officer of this State or a political subdivision of this State.
- A police officer of any entity of the United States.
- The sheriff of a county of this State or the sheriff's deputy.
- A public safety officer of a college or university who was authorized by the college's or university's governing board to enforce State law and the rules and ordinances of that college or university.
- A conservation officer of the Department of Natural Resources.
- A conservation officer of the U.S. Department of Interior.

MCL 750.216

Legislative Analyst: S. Lowe

FISCAL IMPACT

There are no data to indicate how many people would be convicted of possessing a real or imitation uniform, badge, or other identification designated for use by peace officers. The penalty, 93 days or \$100, proposed in the bill is substantially similar to the existing statutory penalty. Any additional costs incurred for incarcerating offenders, and/or any additional fine revenues would have a fiscal impact on local government. The financial impact of Senate Bill 1000 on local government, however, is indeterminate at this time.

Fiscal Analyst: K. Firestone

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.