

SENATE BILL NO. 1000

March 5, 1998, Introduced by Senator STILLE and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 216 (MCL 750.216), as amended by 1985 PA 78.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 216. (1) ~~A person who wears, exhibits, displays, or~~
2 ~~uses, for any purpose, the badge or uniform or a badge or uniform~~
3 ~~substantially identical to that prescribed by the department of~~
4 ~~state police for officers of the department, unless he or she is~~
5 ~~a member of the department, is guilty of a misdemeanor. However,~~
6 ~~this section shall not be construed to prohibit persons of the~~
7 ~~theatrical profession from wearing such badge or uniform in any~~
8 ~~playhouse or theatre while actually engaged in following that~~
9 ~~profession.~~ A PERSON WHO IS NOT A PEACE OFFICER SHALL NOT DO
10 EITHER OF THE FOLLOWING:

1 (A) POSSESS A UNIFORM, BADGE, OR OTHER FORM OF
2 IDENTIFICATION DESIGNATED FOR USE BY PEACE OFFICERS OF A LAW
3 ENFORCEMENT AGENCY WITHOUT THE PERMISSION OF THAT LAW ENFORCEMENT
4 AGENCY.

5 (B) POSSESS A UNIFORM, BADGE, OR OTHER FORM OF IDENTIFICA-
6 TION SUBSTANTIALLY IDENTICAL TO A UNIFORM, BADGE, OR OTHER FORM
7 OF IDENTIFICATION DESCRIBED IN SUBDIVISION (A) WITHOUT THE PER-
8 MISSION OF THAT LAW ENFORCEMENT AGENCY.

9 (2) THIS SECTION DOES NOT APPLY TO A PERSON PARTICIPATING IN
10 A THEATRICAL PRODUCTION.

11 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDE-
12 MEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A
13 FINE OF NOT MORE THAN \$100.00, OR BOTH.

14 (4) AS USED IN THIS SECTION, "PEACE OFFICER" MEANS 1 OR MORE
15 OF THE FOLLOWING:

16 (A) A POLICE OFFICER OF THIS STATE OR A POLITICAL SUBDIVI-
17 SION OF THIS STATE.

18 (B) A POLICE OFFICER OF ANY ENTITY OF THE UNITED STATES.

19 (C) THE SHERIFF OF A COUNTY OF THIS STATE OR THE SHERIFF'S
20 DEPUTY.

21 (D) A PUBLIC SAFETY OFFICER OF A COLLEGE OR UNIVERSITY WHO
22 IS AUTHORIZED BY THE GOVERNING BOARD OF THAT COLLEGE OR UNIVER-
23 SITY TO ENFORCE STATE LAW AND THE RULES AND ORDINANCES OF THAT
24 COLLEGE OR UNIVERSITY.

25 (E) A CONSERVATION OFFICER OF THE DEPARTMENT OF NATURAL
26 RESOURCES.

1 (F) A CONSERVATION OFFICER OF THE UNITED STATES DEPARTMENT
2 OF INTERIOR.