

HOUSE BILL No. 5890

April 11, 2002, Introduced by Reps. Julian, Vander Roest, Spade, Zelenko, Lockwood, Toy, Voorhees, Neumann and Richardville and referred to the Committee on Criminal Justice.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 479. (1) ~~Resisting, etc., officer in discharge of~~
2 ~~duty--Any~~ A person ~~who shall knowingly~~ SHALL NOT DO ANY OF THE
3 FOLLOWING:

4 (A) KNOWINGLY and ~~wilfully~~ WILLFULLY obstruct, resist, or
5 oppose ~~any~~ A sheriff, ~~coroner~~ MEDICAL EXAMINER, township
6 treasurer, constable, or other officer or ~~person~~ duly autho-
7 rized ~~, in~~ PERSON serving ~~,~~ or attempting to serve or execute
8 any process, rule, or order made or issued by lawful authority.
9 ~~, or who shall resist any~~

10 (B) RESIST AN officer ~~in the execution of any~~ ENFORCING AN
11 ordinance, ~~by~~ law, ~~or any~~ rule, order, or resolution ~~made,~~

1 ~~issued, or passed by~~ OF the ~~common council~~ LEGISLATIVE BODY of
2 ~~any~~ A city ~~board of trustees, or common council or~~ village,
3 ~~council of any incorporated village,~~ or township. ~~board of any~~
4 ~~township or who shall assault~~

5 (C) ASSAULT, beat, or wound ~~any sheriff, coroner~~ A MEDICAL
6 EXAMINER, township treasurer, ~~constable~~ or other ~~officer~~ duly
7 authorized ~~, while~~ OFFICER serving ~~,~~ or attempting to serve
8 or execute any ~~such~~ process, rule, or order DESCRIBED IN THIS
9 SECTION, or for having served ~~,~~ or attempted to serve or exe-
10 cute ~~the same, or who shall so obstruct,~~ ANY PROCESS, RULE, OR
11 ORDER DESCRIBED IN THIS SECTION.

12 (D) OBSTRUCT, resist, OR oppose ~~, assault, beat or wound~~
13 any ~~of the above named officers,~~ INDIVIDUAL DESCRIBED IN THIS
14 SECTION or any other ~~person or persons~~ INDIVIDUAL authorized by
15 law to maintain and preserve the peace ~~,~~ in ~~their~~ HIS OR HER
16 lawful acts, attempts, ~~and~~ OR efforts to maintain, preserve,
17 and keep the peace. ~~, shall be~~

18 (E) KNOWINGLY PROVIDE FALSE OR MISLEADING INFORMATION TO A
19 PEACE OFFICER IN THE PERFORMANCE OF HIS OR HER DUTIES AS A PEACE
20 OFFICER, KNOWING THE INFORMATION IS FALSE OR MISLEADING.

21 (2) A PERSON WHO VIOLATES THIS SECTION IS guilty of a misde-
22 meanor ~~,~~ punishable by imprisonment ~~in the state prison~~ FOR
23 not more than 2 years ~~,~~ or ~~by~~ a fine of not more than ~~1,000~~
24 ~~dollars~~ \$1,000.00, OR BOTH.

25 (3) AS USED IN THIS SECTION, "PEACE OFFICER" MEANS ANY OF
26 THE FOLLOWING:

1 (A) A POLICE OFFICER OF THIS STATE INCLUDING, BUT NOT
2 LIMITED TO, A MOTOR CARRIER OFFICER OF THE DEPARTMENT OF STATE
3 POLICE.

4 (B) A POLICE OFFICER OF ANOTHER STATE OR OF A POLITICAL SUB-
5 DIVISION OF ANOTHER STATE.

6 (C) A POLICE OFFICER OF ANY ENTITY OF THE UNITED STATES.

7 (D) THE SHERIFF OF A COUNTY OF THIS STATE OR THE SHERIFF'S
8 DEPUTY.

9 (E) THE SHERIFF OF A POLITICAL SUBDIVISION OF ANOTHER STATE
10 OR THE SHERIFF'S DEPUTY.

11 (F) A PUBLIC SAFETY OFFICER OF A COMMUNITY COLLEGE, COLLEGE,
12 OR UNIVERSITY WHO IS AUTHORIZED BY THE GOVERNING BOARD OF THAT
13 COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY TO ENFORCE THE LAW OF
14 THIS STATE OR OF ANOTHER STATE AND THE RULES AND ORDINANCES OF
15 THAT COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY.

16 (G) A CONSERVATION OFFICER OF THE DEPARTMENT OF NATURAL
17 RESOURCES.

18 (H) A CONSERVATION OFFICER OF ANOTHER STATE.

19 (I) A CONSERVATION OFFICER OF THE UNITED STATES DEPARTMENT
20 OF INTERIOR.