

SUBSTITUTE FOR
SENATE BILL NO. 1508

A bill to amend 1893 PA 118, entitled

"An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,"

by amending section 41 (MCL 800.41), as amended by 1998 PA 513.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 41. (1) If a prisoner ~~or prisoners assault~~ **ASSAULTS** or
2 ~~batter any~~ **BATTERS A CORRECTIONS** officer ~~or guard of a~~
3 ~~correctional facility, or assault or batter another prisoner~~ or
4 any other person, ~~or damage,~~ **DAMAGES** or ~~attempt~~ **ATTEMPTS** to
5 damage any part of a correctional facility, ~~or attempt~~ **ATTEMPTS**
6 to escape, or ~~resist~~ **RESISTS** or ~~disobey any reasonable~~ **DISOBEYS**
7 **A LAWFUL** command, the **CORRECTIONS** officers ~~or guards~~ of the
8 correctional facility shall use all suitable means to defend

1 themselves, to enforce ~~the observance of~~ discipline, to secure
2 ~~the persons of~~ offenders, and to prevent any ~~such attempt to~~
3 escape.

4 (2) As used in this section: ~~—, "correctional~~

5 (A) "CORRECTIONAL facility" means ~~a~~ ANY OF THE FOLLOWING:

6 (i) A STATE facility that houses prisoners committed to the
7 jurisdiction of the department of corrections. ~~—, and includes a~~

8 (ii) A STATE youth correctional facility operated by the
9 department of corrections. ~~—or a~~

10 (iii) A CORRECTION FACILITY OPERATED BY A private vendor ~~under~~
11 ~~section 20g of 1953 PA 232, MCL 791.232~~ AUTHORIZED UNDER THE LAWS
12 OF THIS STATE TO RECEIVE PRISONERS.

13 (B) "CORRECTIONS OFFICER" MEANS EITHER OF THE FOLLOWING:

14 (i) A STATE CORRECTIONAL OFFICER AS DEFINED IN SECTION 2 OF THE
15 CORRECTIONAL OFFICERS' TRAINING ACT OF 1982, 1982 PA 415, MCL
16 791.502.

17 (ii) A CORRECTIONAL OFFICER EMPLOYED BY A CORRECTIONAL FACILITY
18 DESCRIBED IN SUBDIVISION (A) (ii) .