

SENATE BILL No. 1508

November 28, 2006, Introduced by Senator McMANUS and referred to the Committee on Judiciary.

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 facility that houses prisoners committed to the
7 jurisdiction of the department of corrections. ~~—, and includes a~~

8 (ii) A youth correctional facility operated by the department
9 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 A STATE CORRECTIONAL OFFICER
14 AS DEFINED IN SECTION 2 OF THE CORRECTIONAL OFFICERS' TRAINING ACT
15 OF 1982, 1982 PA 415, MCL 791.502, OR A LOCAL CORRECTIONS OFFICER
16 AS DEFINED IN SECTION 2 OF THE LOCAL CORRECTIONS OFFICERS' TRAINING
17 ACT OF 1982, 2003 PA 125, MCL 791.532.