

SENATE BILL NO. 781

December 08, 2021, Introduced by Senators BRINKS, HOLLIER, POLEHANKI, WOJNO, MCCANN, MOSS, BAYER, SANTANA, HERTEL, BULLOCK and GEISS and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 81g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 81g. (1) An individual who communicates to any individual
2 that he or she will physically harm an individual who is a public
3 health official and who does so because of the individual's status
4 as a public health official is guilty of a misdemeanor punishable
5 by imprisonment for not more than 1 year or a fine of not more than

1 \$1,000.00, or both.

2 (2) Except as provided in subsection (3), an individual who
3 assaults or assaults and batters an individual while the individual
4 is performing his or her duties as a public health official or
5 because of the individual's status as a public health official and
6 causes the individual any physical injury is guilty of a felony
7 punishable by imprisonment for not more than 2 years or a fine of
8 not more than \$1,000.00, or both.

9 (3) An individual who assaults or assaults and batters an
10 individual while the individual is performing his or her duties as
11 a public health official or because of the individual's status as a
12 public health official and causes the individual serious impairment
13 of body function is guilty of a felony punishable by imprisonment
14 for not more than 5 years or a fine of not less than \$1,000.00 or
15 more than \$5,000.00, or both.

16 (4) As used in this section:

17 (a) "Public health official" includes a local health officer
18 as that term is defined in section 1105 of the public health code,
19 1978 PA 368, MCL 333.1105, the director of the department of health
20 and human services, and the chief medical executive serving in the
21 office of the chief medical executive created within the department
22 of health and human services.

23 (b) "Serious impairment of body function" means that phrase as
24 defined in section 58c of the Michigan vehicle code, 1949 PA 300,
25 MCL 257.58c.

26 Enacting section 1. This amendatory act takes effect 90 days
27 after the date it is enacted into law.