

SUBSTITUTE FOR  
SENATE BILL NO. 950

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 286.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1        SEC. 286. (1) A PERSON SHALL NOT MISREPRESENT HIS OR HER  
2        CURRENT OR FORMER MILITARY STATUS WHEN HE OR SHE MAKES ANY OF THE  
3        FOLLOWING CLAIMS, ORALLY OR IN WRITING OR BY FALSE DISPLAY, WITH  
4        THE INTENT TO DEFRAUD, OBTAIN EMPLOYMENT, OR BE ELECTED OR  
5        APPOINTED TO PUBLIC OFFICE:  
6        (A) THAT HE OR SHE IS ENTITLED TO WEAR MILITARY AWARDS,  
7        MILITARY DECORATIONS, OR MILITARY RANK.  
8        (B) THAT HE OR SHE SERVED IN THE UNITED STATES ARMED FORCES, A

1 RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES, OR THE  
2 NATIONAL GUARD.

3 (C) THAT HE OR SHE SERVED IN THE MILITARY DURING A WARTIME  
4 ERA, WHETHER OR NOT THERE WAS A DECLARED WAR, OR SERVED IN A COMBAT  
5 ZONE.

6 (D) THAT HE OR SHE SERVED, OR IS SERVING, IN THE MILITARY AT A  
7 CERTAIN LOCATION, WITH A CERTAIN RANK OR RATING, OR ENGAGED IN A  
8 CERTAIN MISSION, OR ANY OTHER CLAIM CONCERNING HIS OR HER ACTUAL  
9 MILITARY SERVICE.

10 (2) THIS SECTION DOES NOT APPLY TO A PERSON WHO OR AN  
11 ORGANIZATION THAT DOES 1 OR MORE OF THE FOLLOWING:

12 (A) REENACTS MILITARY HISTORY OR A MILITARY EVENT.

13 (B) PLAYS THE PART OF A MEMBER OF THE UNITED STATES ARMED  
14 FORCES, A RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES, OR  
15 THE NATIONAL GUARD IN A PLAY, MOTION PICTURE, TELEVISION  
16 PRODUCTION, OR OTHER DRAMATIC PRODUCTION, OR AT A PATRIOTIC OR  
17 CIVIC EVENT.

18 (C) SERVES AS A MEMBER OF THE UNITED STATES ARMED FORCES, A  
19 RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES, OR THE  
20 NATIONAL GUARD AND, AS PART OF A MILITARY ASSIGNMENT, IS  
21 REPRESENTING A MEMBER OF THE UNITED STATES ARMED FORCES IN A  
22 PREVIOUS WAR OR TIME PERIOD FOR CEREMONIAL, RECRUITING, OR TRAINING  
23 PURPOSES.

24 (D) WORKS AS AN EMPLOYEE OF OR VOLUNTEER FOR A MUSEUM AND, AS  
25 A PART OF HIS OR HER DUTIES, IS REPRESENTING A MEMBER OF THE UNITED  
26 STATES ARMED FORCES, A RESERVE COMPONENT OF THE UNITED STATES ARMED  
27 FORCES, OR THE NATIONAL GUARD FOR CEREMONIAL, HISTORICAL, OR

1 TRAINING PURPOSES.

2 (E) OWNS, DISPLAYS, PURCHASES, SELLS, OR TRADES MILITARIA,  
3 INCLUDING, BUT NOT LIMITED TO, MEDALS, RIBBONS, AND RANK INSIGNIA,  
4 AND DOES NOT CLAIM TO HAVE PERSONALLY EARNED THEM UNLESS HE OR SHE  
5 IS LEGALLY ENTITLED TO DO SO.

6 (F) USES HIS OR HER GIVEN NAME THAT INCLUDES A MILITARY RANK,  
7 SO LONG AS HE OR SHE DOES NOT USE THE NAME TO DEFRAUD ANOTHER IN A  
8 MANNER PROHIBITED BY THIS SECTION.

9 (G) USES A NAME OR HONORARY MILITARY OR MILITARY-LIKE RANK  
10 THAT HAS BEEN BESTOWED UPON HIM OR HER BY A PUBLIC OFFICER, PUBLIC  
11 EMPLOYEE, OR PUBLIC AGENCY, IN THE NAME OF A PUBLIC OFFICER OR  
12 PUBLIC AGENCY.

13 (H) USES A CORPORATE, PARTNERSHIP, SOLE PROPRIETORSHIP, OR  
14 OTHER NAME FOR A BUSINESS OR PRODUCT THAT INCLUDES A MILITARY RANK,  
15 SO LONG AS THE NAME IS NOT USED TO DEFRAUD ANOTHER IN A MANNER  
16 PROHIBITED BY THIS SECTION.

17 (I) HOLDS A REGISTERED TRADEMARK THAT INCLUDES A MILITARY RANK  
18 OR HONORARY RANK, SO LONG AS THE TRADEMARK IS NOT USED TO DEFRAUD  
19 ANOTHER IN A MANNER PROHIBITED BY THIS SECTION.

20 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
21 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR, A  
22 FINE OF NOT MORE THAN \$5,000.00, OR BOTH, AND NOT MORE THAN 100  
23 HOURS OF COMMUNITY SERVICE, THAT SHALL BE PERFORMED IN A VETERANS  
24 HOME OR FOR A VETERANS SERVICE ORGANIZATION.

25 (4) A PERSON MAY BE CHARGED WITH, CONVICTED OF, AND SENTENCED  
26 FOR ANY OTHER VIOLATION OF LAW IN ADDITION TO THE VIOLATION OF THIS  
27 SECTION.

1           (5) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE  
2   "STOLEN VALOR LAW".