

# HOUSE BILL No. 5930

September 22, 2016, Introduced by Reps. Schor, Pscholka, Lucido, Lane, Chirkun, Sheppard and Howell 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), as amended by 2002 PA 270.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 479. (1) A person shall not knowingly and willfully do  
2 any of the following:

3       (a) Assault, batter, wound, obstruct, or endanger a medical  
4 examiner, township treasurer, judge, magistrate, probation officer,  
5 parole officer, prosecutor, city attorney, court employee, court  
6 officer, or other officer or duly authorized person serving or  
7 attempting to serve or execute any process, rule, or order made or  
8 issued by lawful authority or otherwise acting in the performance  
9 of his or her duties.

10       (b) Assault, batter, wound, obstruct, or endanger an officer  
11 enforcing an ordinance, law, rule, order, or resolution of the

1 common council of a city board of trustees, the common council or  
2 village council of an incorporated village, or a township board of  
3 a township.

4 (2) Except as provided in subsections (3), (4), and (5), a  
5 person who violates this section is guilty of a felony punishable  
6 by imprisonment for not more than 2 years or a fine of not more  
7 than \$2,000.00, or both.

8 (3) A person who violates this section and by that violation  
9 causes **OR ATTEMPTS TO CAUSE** a bodily injury requiring medical  
10 attention or medical care to an individual described in this  
11 section is guilty of a felony punishable by imprisonment for not  
12 more than 4 years or a fine of not more than \$5,000.00, or both.

13 (4) A person who violates this section and by that violation  
14 causes serious impairment of a body function of an individual  
15 described in this section is guilty of a felony punishable by  
16 imprisonment for not more than ~~10~~**15** years or a fine of not more  
17 than \$10,000.00, or both.

18 (5) A person who violates this section and by that violation  
19 causes the death of an individual described in this section is  
20 guilty of a felony punishable by imprisonment for not more than 20  
21 years or a fine of not more than \$20,000.00, or both.

22 (6) This section does not prohibit an individual from being  
23 charged with, convicted of, or punished for any other violation of  
24 law that is committed by that individual while violating this  
25 section.

26 (7) The court ~~may~~**SHALL** order a term of imprisonment for a  
27 violation of this section to be served consecutively to any other

1 term of imprisonment imposed for a violation arising out of the  
2 same criminal transaction as the violation of this section.

3 (8) As used in this section:

4 (a) "Obstruct" includes the use or threatened use of physical  
5 interference or force or a knowing failure to comply with a lawful  
6 command.

7 (b) "Serious impairment of a body function" means that term as  
8 defined in section 58c of the Michigan vehicle code, 1949 PA 300,  
9 MCL 257.58c.

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