

HOUSE BILL No. 4812

May 21, 1997, Introduced by Reps. Cherry, Tesanovich, Prusi, Freeman, DeHart, Vaughn, Callahan, Schermesser, Martinez, Thomas, Bogardus and Murphy and referred to the Committee on Labor and Occupational Safety.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 355b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 355B. (1) WHILE ACTING WITHIN THE COURSE OF HIS OR HER
2 EMPLOYMENT, AN INDIVIDUAL PROVIDING PROTECTIVE OR INVESTIGATIVE
3 SERVICES FOR A PERSON ENGAGED IN OR INVOLVED IN A LABOR DISPUTE
4 SHALL NOT DO ANY OF THE FOLLOWING:

5 (A) CARRY OR DISPLAY A FIREARM IN THE PRESENCE OF AN INDI-
6 VIDUAL LAWFULLY ENGAGED IN OR INVOLVED IN A LABOR DISPUTE.

7 (B) LEAVE THE BOUNDARIES OF THE PROPERTY THE INDIVIDUAL IS
8 HIRED TO PROTECT OR INVESTIGATE TO PURSUE, MONITOR, OR CONDUCT
9 SURVEILLANCE OF AN INDIVIDUAL LAWFULLY ENGAGED OR INVOLVED IN A
10 LABOR DISPUTE.

1 (C) LEAVE THE BOUNDARIES OF THE PROPERTY THE INDIVIDUAL IS
2 HIRED TO PROTECT OR INVESTIGATE TO ENGAGE IN ASSAULTIVE,
3 INTIMIDATING, OR THREATENING BEHAVIOR.

4 (D) USE UNREASONABLE FORCE IN EXECUTING HIS OR HER DUTIES.

5 (2) A PERSON WHO DIRECTS AN EMPLOYEE OR AGENT OR KNOWINGLY
6 ALLOWS AN EMPLOYEE TO VIOLATE SUBSECTION (1) MAY BE CHARGED WITH
7 A VIOLATION OF SUBSECTION (1).

8 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY
9 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS, A FINE OF
10 NOT MORE THAN \$5,000.00, OR BOTH.

11 (4) AS USED IN THIS SECTION:

12 (A) "FIREARM" MEANS THAT TERM AS DEFINED IN SECTION 3T OF
13 1846 RS 1, MCL 8.3T.

14 (B) "LABOR DISPUTE" MEANS THAT TERM AS DEFINED IN SECTION 2
15 OF 1939 PA 176, MCL 423.2.