

# SENATE BILL No. 1373

September 26, 2000, Introduced by Senators HAMMERSTROM, GOUGEON, JOHNSON, SHUGARS and NORTH and referred to the Committee on Families, Mental Health and Human Services.

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

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 SEC. 81C. (1) A PERSON WHO COMMUNICATES TO ANY PERSON A  
2 THREAT THAT HE OR SHE WILL PHYSICALLY HARM AN INDIVIDUAL WHO IS  
3 AN EMPLOYEE OF THE FAMILY INDEPENDENCE AGENCY BECAUSE OF THE  
4 INDIVIDUAL'S STATUS AS AN EMPLOYEE OF THAT AGENCY IS GUILTY OF A  
5 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR  
6 OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

7 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), A PERSON WHO  
8 ASSAULTS OR ASSAULTS AND BATTERS AN INDIVIDUAL WHILE THE INDIVID-  
9 UAL IS PERFORMING HIS OR HER DUTIES AS AN EMPLOYEE OF THE FAMILY  
10 INDEPENDENCE AGENCY OR BECAUSE OF THE INDIVIDUAL'S STATUS AS AN  
11 EMPLOYEE OF THAT AGENCY AND CAUSES THE INDIVIDUAL ANY PHYSICAL

1 INJURY IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT  
2 MORE THAN 2 YEARS OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

3 (3) A PERSON WHO ASSAULTS OR ASSAULTS AND BATTERS AN INDI-  
4 VIDUAL WHILE THE INDIVIDUAL IS PERFORMING HIS OR HER DUTIES AS AN  
5 EMPLOYEE OF THE FAMILY INDEPENDENCE AGENCY OR BECAUSE OF THE  
6 INDIVIDUAL'S STATUS AS AN EMPLOYEE OF THAT AGENCY AND CAUSES THE  
7 INDIVIDUAL SERIOUS IMPAIRMENT OF BODY FUNCTION IS GUILTY OF A  
8 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A  
9 FINE OF NOT LESS THAN \$1,000.00 OR MORE THAN \$5,000.00, OR BOTH.

10 (4) A CONVICTION OR SENTENCE IMPOSED FOR A VIOLATION OF THIS  
11 SECTION DOES NOT PRECLUDE A CONVICTION OR SENTENCE FOR A VIOLA-  
12 TION OF ANY OTHER APPLICABLE LAW.

13 (5) AS USED IN THIS SECTION, "SERIOUS IMPAIRMENT OF BODY  
14 FUNCTION" MEANS THAT PHRASE AS IN SECTION 625(5) OF THE MICHIGAN  
15 VEHICLE CODE, 1949 PA 300, MCL 257.625.