

2000 PUBLIC AND LOCAL ACTS

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[No. 226]

(HB 5311)

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 227f (MCL 750.227f), as amended by 1996 PA 163.

*The People of the State of Michigan enact:*

750.227f Committing or attempting to commit crime involving violent act or threat of violent act against another person while wearing body armor as felony; penalty; consecutive term of imprisonment; exception; definitions. [M.S.A. 28.424(6)]

Sec. 227f. (1) Except as provided in subsection (2), an individual who commits or attempts to commit a crime that involves a violent act or a threat of a violent act against another person while wearing body armor is guilty of a felony, punishable by imprisonment for not more than 4 years, or a fine of not more than \$2,000.00, or both. A term of imprisonment imposed for violating this section may be served consecutively to any term of imprisonment imposed for the crime committed or attempted.

(2) Subsection (1) does not apply to either of the following:

(a) A peace officer of this state or another state, or of a local unit of government of this state or another state, or of the United States, performing his or her duties as a peace officer while on or off a scheduled work shift as a peace officer.

(b) A security officer performing his or her duties as a security officer while on a scheduled work shift as a security officer.

(3) As used in this section:

(a) "Body armor" means clothing or a device designed or intended to protect an individual's body or a portion of an individual's body from injury caused by a firearm.

(b) "Security officer" means an individual lawfully employed to physically protect another individual or to physically protect the property of another person.

Effective date.

Enacting section 1. This amendatory act takes effect October 1, 2000.

Conditional effective date.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 838 of the 90th Legislature is enacted into law.

This act is ordered to take immediate effect.

Approved June 26, 2000.

Filed with Secretary of State June 27, 2000.

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**Compiler's note:** Senate Bill No. 838, referred to in enacting section 2, was filed with the Secretary of State June 27, 2000, and became P.A. 2000, No. 224, Eff. Oct. 1, 2000.