

SENATE BILL No. 816

October 19, 2005, Introduced by Senators KUIPERS, VAN WOERKOM, ALLEN, BIRKHOLZ, McMANUS and JELINEK and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 498b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 498B. (1) A PERSON WHO, WITHOUT LAWFUL AUTHORITY, USES OR
2 TAMPERS WITH A MARINE SAFETY DEVICE OWNED OR MAINTAINED BY THIS
3 STATE OR A POLITICAL SUBDIVISION OF THIS STATE AND THEREBY RENDERS
4 THE DEVICE UNAVAILABLE OR UNUSABLE FOR RESCUE IS GUILTY OF A FELONY
5 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 15 YEARS OR A FINE OF
6 NOT MORE THAN \$10,000.00, OR BOTH, IF ANY PERSON DIES AS A RESULT
7 OF THE DEVICE BEING UNAVAILABLE OR UNUSABLE FOR RESCUE.

8 (2) AS USED IN THIS SECTION, "MARINE SAFETY DEVICE" MEANS A

1 DEVICE DESIGNED OR INTENDED TO BE USED TO RESCUE INDIVIDUALS IN
2 MARINE EMERGENCY SITUATIONS, INCLUDING, BUT NOT LIMITED TO, LIFE
3 PRESERVERS, SAFETY HARNESSSES, LADDERS, LINES, AND THROW RINGS.