

# HOUSE BILL No. 6312

September 5, 2018, Introduced by Rep. Neeley and referred to the Committee on Law and Justice.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 411x.

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

1           **SEC. 411X. (1) A DETAINEE OR PRISONER IN A JUVENILE FACILITY**  
2 **WHO THROWS OR ATTEMPTS TO THROW ANY BODILY MATERIAL ON ANY**  
3 **INDIVIDUAL PERFORMING HIS OR HER DUTIES AS A CORRECTIONS OFFICER IN**  
4 **THAT JUVENILE FACILITY, OR WHO OTHERWISE CAUSES OR ATTEMPTS TO**  
5 **CAUSE ANY INDIVIDUAL PERFORMING HIS OR HER DUTIES AS A CORRECTIONS**  
6 **OFFICER IN THAT JUVENILE FACILITY TO COME INTO CONTACT WITH ANY**  
7 **BODILY MATERIAL, IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT**  
8 **FOR NOT MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN \$2,000.00, OR**  
9 **BOTH.**

10           **(2) THIS SECTION DOES NOT PROHIBIT A PERSON FROM BEING CHARGED**  
11 **WITH, CONVICTED OF, AND SENTENCED FOR ANY OTHER VIOLATION OF LAW IN**

1 LIEU OF BEING CHARGED WITH, CONVICTED OF, AND SENTENCED FOR A  
2 VIOLATION OF THIS SECTION.

3 (3) AS USED IN THIS SECTION:

4 (A) "BODILY MATERIAL" MEANS BLOOD, URINE, SALIVA, OR FECES.

5 (B) "CORRECTIONS OFFICER" MEANS AN INDIVIDUAL RESPONSIBLE FOR  
6 MAINTAINING THE CUSTODY OF JUVENILES IN A JUVENILE FACILITY.

7 (C) "JUVENILE" MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE  
8 JUVENILE FACILITIES ACT, 1988 PA 73, MCL 803.222.

9 (D) "JUVENILE FACILITY" MEANS THAT TERM AS DEFINED IN SECTION  
10 2 OF THE JUVENILE FACILITIES ACT, 1988 PA 73, MCL 803.222.