

**SUBSTITUTE FOR
SENATE BILL NO. 903**

A bill to require that certain remedial actions be taken by certain individuals who are notified of suspected sexual assaults of postsecondary students; to prohibit certain individuals who learn of possible sexual assaults of postsecondary students from discouraging those students from reporting the incidents to appropriate authorities; to provide for the protection of postsecondary students who are sexually assaulted; and to prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "postsecondary student protection act".

3 Sec. 2. As used in this act:

4 (a) "Postsecondary educational institution" means a degree- or

1 certificate-granting public or private college or university,
2 junior college, or community college that is located in this state.

3 (b) "Postsecondary interscholastic athletic activity" means a
4 program or event offered by a postsecondary educational
5 institution, including practice and competition, during which
6 athletes participate or practice to participate in an organized
7 athletic game or competition against another school, team, club,
8 entity, or individual.

9 (c) "Sexual assault" means an act, attempted act, or
10 conspiracy to engage in an act of criminal conduct as defined in
11 section 520b, 520c, 520d, 520e, or 520g of the Michigan penal code,
12 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, and
13 750.520g.

14 (d) "Student" means an individual who is at least 18 years of
15 age and who is enrolled in an educational program at a
16 postsecondary educational institution or is a participant in a
17 postsecondary interscholastic athletic activity.

18 Sec. 3. (1) If an individual who is at least 18 years of age
19 and who is employed in a professional capacity at a postsecondary
20 educational institution or is paid to conduct postsecondary
21 interscholastic athletic activities is notified by a student that
22 the student may have been the victim of a sexual assault, the
23 individual shall inform the student of all of the following:

24 (a) All resources and services provided by the postsecondary
25 educational institution for victims of sexual assault.

26 (b) State and local resources and services for victims of
27 sexual assault, including, but not limited to, the website location

1 of "A Resource Handbook for Campus Sexual Assault Survivors,
2 Friends and Family", published in 2018 by the office of the
3 governor in conjunction with the first lady of Michigan.

4 (2) A postsecondary educational institution shall make
5 reasonable efforts to notify those who provide volunteer services
6 to the institution of the duties described in subsection (1) for
7 certain employees of the institution and shall encourage those
8 volunteers to perform those duties in the same manner as required
9 of those employees.

10 Sec. 4. If an individual who is at least 18 years of age and
11 who is employed in a professional capacity at a postsecondary
12 educational institution or is paid to conduct postsecondary
13 interscholastic athletic activities has direct knowledge that a
14 student likely has been the victim of a sexual assault at the
15 institution or while attending or participating in any program,
16 activity, or event sponsored or otherwise provided or supported by
17 the institution, that individual shall not, by pressure, coercion,
18 or any other means, willfully or knowingly attempt to discourage
19 the student from reporting the incident to any appropriate
20 authorities. An individual who violates this section is guilty of a
21 misdemeanor punishable by imprisonment for not more than 1 year or
22 a fine of not more than \$1,000.00, or both.

23 Enacting section 1. This act takes effect 90 days after the
24 date it is enacted into law.