



**House
Legislative
Analysis
Section**

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RAPE PROSECUTIONS: CIVIL SUITS

RECEIVED

MAY 23 1989

House Bill 4293

Sponsor: Rep. William Van Regenmortel
Committee: Judiciary

Complete to 4-4-89

A SUMMARY OF HOUSE BILL 4293 AS INTRODUCED 4-4-89

The bill would amend the Revised Judicature Act to bar certain civil suits by defendants being prosecuted for criminal sexual conduct or its attempt. A defendant could not commence a civil action against a victim of the crime for which the defendant was charged if the criminal action was pending in trial court and the civil action was based upon statements or reports referring to an incident from which the criminal action was derived.

A civil action commenced in violation of the bill would be dismissed without prejudice. The period of limitations on bringing the civil action would be suspended while the criminal action was pending.

The bill would apply only with regard to prosecutions for crimes allegedly committed after the bill's effective date, which would be 30 days after enactment. The bill would not apply to a civil suit filed by the victim against the defendant and based on the incident from which the criminal charges derived.

MCL 600.1902

House Bill 4293 (4-4-89)