

# HOUSE BILL No. 4039

January 31, 1991, Introduced by Rep. Ciaramitaro and referred to the Committee on Public Health.

A bill to amend Act No. 368 of the Public Acts of 1978, entitled as amended

"Public health code,"

as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, by adding section 1295.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 368 of the Public Acts of 1978, as  
2 amended, being sections 333.1101 to 333.25211 of the Michigan  
3 Compiled Laws, is amended by adding section 1295 to read as  
4 follows:

5 SEC. 1295. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SEC-  
6 TION, A PERSON WHO KNOWINGLY OR INTENTIONALLY BY FORCE OR DURESS  
7 CAUSES ANOTHER PERSON TO COMMIT SUICIDE IS GUILTY OF MURDER,  
8 PUNISHABLE AS PROVIDED IN SECTION 316 OR 317 OF THE MICHIGAN

1 PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931, BEING  
2 SECTIONS 750.316 AND 750.317 OF THE MICHIGAN COMPILED LAWS.

3 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON  
4 WHO KNOWINGLY OR INTENTIONALLY BY FORCE OR DURESS CAUSES ANOTHER  
5 PERSON TO ATTEMPT SUICIDE IS GUILTY OF ATTEMPTED MURDER, PUNISH-  
6 ABLE AS PROVIDED IN SECTION 91 OF ACT NO. 328 OF THE PUBLIC ACTS  
7 OF 1931, BEING SECTION 750.91 OF THE MICHIGAN COMPILED LAWS.

8 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON  
9 WHO KNOWINGLY OR INTENTIONALLY DOES EITHER OF THE FOLLOWING IS  
10 GUILTY OF CRIMINAL ASSISTANCE TO SUICIDE, A FELONY PUNISHABLE BY  
11 IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR BY A FINE OF NOT MORE  
12 THAN \$2,000.00, OR BOTH, IF THE PERSON DEMONSTRATES BY CLEAR AND  
13 CONVINCING EVIDENCE THAT THE PERSON ATTEMPTING OR COMMITTING SUI-  
14 CIDE WANTED TO COMMIT SUICIDE AND CONSENTED TO THE PERSON'S  
15 ACTS:

16 (A) PROVIDES THE MEANS BY WHICH ANOTHER PERSON ATTEMPTS OR  
17 COMMITS SUICIDE.

18 (B) ACTS AS A PARTICIPANT IN A SUICIDE OR ATTEMPTED  
19 SUICIDE.

20 (4) WITHHOLDING OR WITHDRAWING MEDICAL TREATMENT UNDER THE  
21 DIRECTION AND CONSENT OF A COMPETENT ADULT OR PURSUANT TO A DES-  
22 IGNATION AS PROVIDED IN SECTION 496 OF THE REVISED PROBATE CODE,  
23 ACT NO. 642 OF THE PUBLIC ACTS OF 1978, BEING SECTION 700.496 OF  
24 THE MICHIGAN COMPILED LAWS, IS NOT SUICIDE OR ASSISTANCE TO SUI-  
25 CIDE UNDER THIS SECTION.

26 (5) ADMINISTERING MEDICATIONS OR PROCEDURES THAT MAY HASTEN  
27 OR INCREASE THE RISK OF DEATH TO RELIEVE A PERSON'S PAIN OR

1 DISCOMFORT IS NOT SUICIDE OR ASSISTANCE TO SUICIDE UNDER THIS  
2 SECTION UNLESS THE MEDICATIONS OR PROCEDURES ARE KNOWINGLY AND  
3 INTENTIONALLY ADMINISTERED TO CAUSE DEATH.