

SENATE BILL No. 629

November 21, 1991, Introduced by Senators EMMONS, STABENOW, WELBORN, DILLINGHAM, CISKY, GEAKE, KELLY and WARTNER and referred to the Committee on Judiciary.

A bill to amend section 81 of Act No. 328 of the Public Acts of 1931, entitled as amended

"The Michigan penal code,"

being section 750.81 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 81 of Act No. 328 of the Public Acts of
2 1931, being section 750.81 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 81. (1) ~~Assault and assault and battery~~ Any A
5 person who ~~shall be convicted of an assault or an assault and~~
6 ~~battery where~~ ASSAULTS OR ASSAULTS AND BATTERS ANOTHER PERSON,
7 IF no other punishment is prescribed ~~shall be~~ BY LAW, IS guilty
8 of a misdemeanor, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90
9 DAYS, OR A FINE OF NOT MORE THAN \$100.00, OR BOTH.

1 (2) AN INDIVIDUAL WHO ASSAULTS OR ASSAULTS AND BATTERS HIS
2 OR HER SPOUSE OR FORMER SPOUSE, OR A RESIDENT OR FORMER RESIDENT
3 OF HIS OR HER HOUSEHOLD, IN VIOLATION OF SUBSECTION (1), AND WHO
4 HAS PREVIOUSLY BEEN CONVICTED OF ASSAULTING OR ASSAULTING AND
5 BATTERING HIS OR HER SPOUSE OR FORMER SPOUSE, OR A RESIDENT OR
6 FORMER RESIDENT OF HIS OR HER HOUSEHOLD, IN VIOLATION OF THIS
7 SECTION, SECTION 81A, OR SECTION 82, IS GUILTY OF A MISDEMEANOR,
8 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR, OR A FINE OF
9 NOT MORE THAN \$500.00, OR BOTH.