



**House  
Legislative  
Analysis  
Section**

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**SPOUSAL COMMUNICATION PRIV.**

**House Bill 4024**

**Sponsor: Rep. Maxine Berman**

**Committee: Judiciary**

**Complete to 4-16-93**

**A SUMMARY OF HOUSE BILL 4024 AS INTRODUCED 2-2-93**

Under the Revised Judicature Act, husbands and wives (and former husbands and wives) cannot testify about what either spouse said to the other during the course of the marriage unless both consent to the testimony. The bill would instead allow a person to testify about what a spouse had said, if the circumstances of the testimony were any of those under which the law now allows a husband or wife to be a witness for or against the other.

Thus, the spousal communication privilege would be lifted in divorce actions, bigamy prosecutions, prosecutions for crimes committed against the children of either, actions for personal injury by one spouse to the other, actions for failure to pay support, in cases of desertion or abandonment, in certain property actions, and in certain cases dealing with the marriage of someone with syphilis or gonorrhea or the marriage of someone who was mentally incompetent.

**MCL 600.2162**

**House Bill 4024 (4-16-93)**