



HOUSE BILL No. 5783

September 14, 1994 Introduced by Rep Hill and referred to the Committee on Judiciary

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

"The Michigan penal code,"

as amended by Act No 65 of the Public Acts of 1994, being section 750 81a of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 81a of Act No 328 of the Public Acts of
2 1931, as amended by Act No 65 of the Public Acts of 1994 being
3 section 750 81a of the Michigan Compiled Laws is amended to read
4 as follows

5 Sec 81a (1) A person who assaults an individual without a
6 weapon and inflicts serious or aggravated injury upon that indi-
7 vidual without intending to commit murder or to inflict great
8 bodily harm less than murder is guilty of a ~~misdemeanor~~ FELONY

1 punishable by imprisonment for not more than ~~1 year~~ 4 YEARS or
2 a fine of not more than \$1 000 00 or both

3 (2) Except as provided in subsection (3), an individual who
4 assaults his or her spouse or former spouse an individual with
5 whom he or she has had a child in common or a resident or former
6 resident of his or her household, without a weapon and inflicts
7 serious or aggravated injury upon that individual without intend-
8 ing to commit murder or to inflict great bodily harm less than
9 murder is guilty of a ~~misdemeanor~~ FELONY punishable by impris-
10 onment for not more than ~~1 year~~ 4 YEARS or a fine of not more
11 than \$1 000 00, or both

12 (3) An individual who assaults his or her spouse or former
13 spouse, an individual with whom he or she has had a child in
14 common, or a resident or former resident of his or her household
15 in violation of subsection (2), and who has 1 or more previous
16 convictions for assaulting or assaulting and battering his or her
17 spouse or former spouse, an individual with whom he or she has
18 had a child in common, or a resident or former resident of his or
19 her household, in violation of this section or section 81 82
20 83, 84, or 86 or a local ordinance substantially corresponding to
21 section 81, is guilty of a felony punishable by imprisonment for
22 not more than ~~2~~ 6 years or a fine of not more than \$2 500 00
23 or both