



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

**SCHOOL CODE: DEFINITION OF
CRIMINAL SEXUAL CONDUCT**

House Bill 5743

Sponsor: Rep. William R. Bryant, Jr.

Committee: Education

Complete to 4-19-96

A SUMMARY OF HOUSE BILL 5743 AS INTRODUCED 4-16-96

Under the Revised School Code, a student who possesses a dangerous weapon in a weapon-free school zone, commits arson in a school building or on school grounds, or commits criminal sexual conduct in a school building or on school grounds is to be expelled from the district permanently (although it is possible to petition for reinstatement under certain circumstances). The bill would specify that the term "criminal sexual conduct" refers to criminal sexual conduct in the first degree in violation of Section 520b of the Michigan Penal Code or criminal sexual conduct in the third degree in violation of Section 520d of the penal code. Both of those crimes require "sexual penetration." Currently, the code's definition refers to violations of Sections 520b, 520c, 520d, 520e, or 520g of the penal code. Section 520b describes first degree criminal sexual conduct; Section 520c describes second degree criminal sexual conduct; Section 520d describes third degree criminal sexual conduct; Section 520e describes fourth degree criminal sexual conduct; and Section 520g describes assault with intent to commit criminal sexual conduct. The current references to the penal code were put into the School Code by Public Act 250 of 1995 (Senate Bill 527). Prior to that the section had referred to a student who "rapes someone in the building or on school grounds."

MCL 380.1311

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.