



# HOUSE BILL No. 4936

September 30, 1999, Introduced by Reps. Raczkowski, Martinez, Clarke and Scranton and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 147b (MCL 750.147b), as added by 1988 PA  
371.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 147b. (1) A person is guilty of ethnic intimidation if  
2 that person maliciously, and with specific intent to intimidate  
3 or harass another person because of that person's race, color,  
4 religion, gender, or national origin, does any of the following:  
5       (a) Causes physical contact with another person.  
6       (b) Damages, destroys, or defaces any real or personal prop-  
7 erty of another person.  
8       (c) ~~Threatens, by~~ BY word or act, ~~to do~~ CAUSES ANOTHER  
9 PERSON TO FEAR THAT HE OR SHE WILL COMMIT an act described in  
10 subdivision (a) or (b), if there is reasonable cause to believe

1 that ~~an~~ THE act described in subdivision (a) or (b) will  
2 occur.

3       (2) Ethnic intimidation is a felony punishable by imprison-  
4 ment for not more than 2 years, or by a fine of not more than  
5 \$5,000.00, or both.

6       (3) Regardless of the existence or outcome of any criminal  
7 prosecution, a person who suffers injury to his or her person or  
8 damage to his or her property as a result of ethnic intimidation  
9 may bring a civil cause of action against the person who commits  
10 the offense to secure an injunction, actual damages, including  
11 damages for emotional distress, or other appropriate relief. A  
12 plaintiff who prevails in a civil action brought pursuant to this  
13 section may recover both of the following:

14       (a) Damages in the amount of 3 times the actual damages  
15 described in this subsection or \$2,000.00, whichever is greater.

16       (b) Reasonable attorney fees and costs.