

HOUSE BILL No. 5542

December 21, 2001, Introduced by Reps. Woodward, Kolb, Bovin, Dennis, Whitmer, Gielegem, Schauer, Jacobs, Neumann and Waters and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 411t.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 411T. (1) EXCEPT AS PROVIDED IN SUBSECTION (3), A
2 PERSON WHO ATTENDS AN EDUCATIONAL INSTITUTION SHALL NOT ENGAGE IN
3 OR PARTICIPATE IN THE HAZING OF ANOTHER PERSON.

4 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A MIS-
5 DEMEANOR PUNISHABLE BY THE FOLLOWING:

6 (A) FIFTY HOURS OF COMMUNITY SERVICE.

7 (B) IMPRISONMENT FOR NOT MORE THAN 30 DAYS, IF THE DEFENDANT
8 FAILS TO PERFORM COMMUNITY SERVICE AS ORDERED UNDER THIS
9 SECTION.

1 (3) THIS SECTION DOES NOT APPLY TO A PERSON WHO IS THE
2 SUBJECT OF THE HAZING, REGARDLESS OF WHETHER THE PERSON
3 VOLUNTARILY ALLOWED HIMSELF OR HERSELF TO BE HAZED.

4 (4) A CRIMINAL PENALTY PROVIDED FOR UNDER THIS SECTION MAY
5 BE IMPOSED IN ADDITION TO ANY PENALTY THAT MAY BE IMPOSED FOR ANY
6 OTHER CRIMINAL OFFENSE ARISING FROM THE SAME CONDUCT.

7 (5) AS USED IN THIS SECTION:

8 (A) "EDUCATIONAL INSTITUTION" MEANS A PUBLIC OR PRIVATE
9 SCHOOL THAT IS A MIDDLE SCHOOL, JUNIOR HIGH SCHOOL, OR HIGH
10 SCHOOL LOCATED IN THIS STATE.

11 (B) "HAZING" MEANS A METHOD OF INITIATION OR PRE-INITIATION
12 INTO A STUDENT ORGANIZATION OR A PASTIME OR AMUSEMENT ENGAGED IN
13 CONCERNING A STUDENT ORGANIZATION THAT CAUSES, OR IS LIKELY TO
14 CAUSE, BODILY INJURY OR PERSONAL DEGRADATION OR DISGRACE THAT
15 RESULTS IN PHYSICAL OR MENTAL HARM TO ANOTHER PERSON WHO ATTENDS
16 THE EDUCATIONAL INSTITUTION. HAZING DOES NOT INCLUDE CUSTOMARY
17 ATHLETIC EVENTS OR OTHER SIMILAR CONTESTS OR COMPETITIONS.