

HOUSE BILL No. 6233

July 2, 2002, Introduced by Reps. Kowall, Patterson, Raczkowski, Koetje, Faunce, Stewart and Richner and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 410b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 410B. (1) A PERSON SHALL NOT GIVE MONEY OR ANYTHING OF
2 VALUE TO A PERSON WHO IS A PARTY TO LITIGATION IF ALL OF THE FOL-
3 LOWING APPLY:

4 (A) THE PERSON WHO IS A PARTY TO LITIGATION HAS AN ABSOLUTE
5 OR CONTINGENT OBLIGATION TO REPAY THE MONEY OR A CHARGE FOR, OR
6 PRICE OR COST OF, THE THING OF VALUE FROM ANY RECOVERY FROM THE
7 LITIGATION.

8 (B) THE OBLIGATION UNDER SUBDIVISION (A) EXCEEDS THE AMOUNT
9 ORIGINALLY GIVEN BY A PERCENTAGE IN EXCESS OF THAT ALLOWED UNDER
10 SECTION 1 OF 1966 PA 326, MCL 438.31, FOR LOANS OF MONEY.

1 (2) THIS SECTION DOES NOT PROHIBIT THE ADVANCEMENT OF MONEY
2 AS PERMITTED BY RULES PRESCRIBED BY THE SUPREME COURT.

3 (3) ALL OF THE FOLLOWING APPLY TO A PERSON WHO VIOLATES SUB-
4 SECTION (1):

5 (A) THE PERSON IS GUILTY OF CHAMPERTY, AND IS NOT ENTITLED
6 TO THE MONEY OR CHARGE FOR, OR PRICE OR COST OF, THE THING OF
7 VALUE GIVEN UNDER SUBSECTION (1), OR INTEREST ON THAT SUM.

8 (B) THE PERSON IS GUILTY OF A MISDEMEANOR PUNISHABLE BY
9 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN
10 \$1,000.00, OR BOTH.