

HOUSE BILL No. 4259

February 10, 2005, Introduced by Reps. Hune, Kahn, Ward, Robertson, Shaffer, Ball, Acciavatti, Nitz, David Law, Gaffney, Drolet, Zelenko, Condino, Marleau and Nofs and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2155.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2155. (1) A STATEMENT, WRITING, OR ACTION THAT EXPRESSES
2 SYMPATHY, COMPASSION, COMMISERATION, OR A GENERAL SENSE OF
3 BENEVOLENCE RELATING TO THE PAIN, SUFFERING, OR DEATH OF AN
4 INDIVIDUAL AND THAT IS MADE TO THAT INDIVIDUAL OR TO THE
5 INDIVIDUAL'S FAMILY IS INADMISSIBLE AS EVIDENCE OF AN ADMISSION OF
6 LIABILITY IN AN ACTION FOR MEDICAL MALPRACTICE.

7 (2) THIS SECTION DOES NOT APPLY TO A STATEMENT OF FAULT,
8 NEGLIGENCE, OR CULPABLE CONDUCT RELATING TO AN ACCIDENT OR EVENT

1 THAT IS PART OF OR MADE IN ADDITION TO A STATEMENT, WRITING, OR
2 ACTION DESCRIBED IN SUBSECTION (1).

3 (3) AS USED IN THIS SECTION, "FAMILY" MEANS SPOUSE, PARENT,
4 GRANDPARENT, STEPMOTHER, STEPFATHER, CHILD, ADOPTED CHILD,
5 GRANDCHILD, BROTHER, SISTER, HALF BROTHER, HALF SISTER, FATHER-IN-
6 LAW, OR MOTHER-IN-LAW.