

Legislative Analysis



FAILURE TO ASSIST IN EMERGENCY

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4451

Sponsor: Rep. Alma Wheeler Smith

Committee: Judiciary

Complete to 5-28-09

A SUMMARY OF HOUSE BILL 4451 AS INTRODUCED 2-24-09

The bill would amend the Michigan Penal Code to make it a misdemeanor for a person to fail to give reasonable assistance at the scene of an emergency to another person who is exposed to or has suffered grave physical harm. This would not apply if providing assistance would expose the first person or others to danger or peril. The term "reasonable assistance" would refer to contacting a 9-1-1 operator or another law enforcement or emergency service.

The requirement that assistance be provided would not apply if (1) reasonable assistance was already being provided or (2) providing assistance would interfere with performing important duties owed to others.

The misdemeanor would carry a penalty of one or more of the following: (1) community service for up to 360 hours, (2) imprisonment for not more than 60 days, and/or (3) a fine of up to \$2,500.

MCL 750.499

FISCAL IMPACT:

To the extent that the bill increased the numbers of misdemeanor convictions, it could increase local costs of jail incarceration or misdemeanor probation, both of which vary by jurisdiction. Any increase in penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of those revenues.

Legislative Analyst: Chris Couch

Fiscal Analyst: Marilyn Peterson

■ 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.