



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 53 (as reported without amendment)  
Sponsor: Senator Jim Marleau  
Committee: Judiciary

### **CONTENT**

The bill would amend the Revised Judicature Act to specify that a statement, writing, or action expressing sympathy, compassion, commiseration, or a general sense of benevolence relating to the pain, suffering, or death of an individual, that was made to that individual or to his or her family, would be inadmissible as evidence of an admission of liability in a medical malpractice action.

The bill would not apply to a statement of fault, negligence, or culpable conduct that was part of or made in addition to a statement, writing, or action described above.

"Family" would mean spouse, parent, grandparent, stepmother, stepfather, child, adopted child, grandchild, brother, sister, half brother, half sister, father-in-law, or mother-in-law.

The bill would apply only to civil actions filed on or after its effective date.

Proposed MCL 600.2155

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 1-26-11

Fiscal Analyst: Matthew Grabowski