

Act No. 28
Public Acts of 2018
Approved by the Governor
February 20, 2018
Filed with the Secretary of State
February 21, 2018
EFFECTIVE DATE: May 22, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Reps. VanSingel and Johnson

ENROLLED HOUSE BILL No. 4524

AN ACT to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 6312 (MCL 600.6312), as added by 1995 PA 249.

The People of the State of Michigan enact:

Sec. 6312. A defendant that is found liable for an act or omission that causes personal injury, property damage, or wrongful death is jointly and severally liable if the defendant’s act or omission is any of the following:

- (a) A crime, an element of which is gross negligence, for which the defendant is convicted.
- (b) A crime, an element of which is the use of alcohol or a controlled substance, for which the defendant is convicted and that is a violation of 1 or more of the following:
 - (i) Conduct that violated former section 14 of the explosives act of 1970, 1970 PA 202.
 - (ii) Section 111 of the Michigan code of military justice of 1980, 1980 PA 523, MCL 32.1111.
 - (iii) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL 257.625.
 - (iv) Section 185 of the Aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.185.
 - (v) Section 80176, 81134, or 82127 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80176, 324.81134, and 324.82127.
 - (vi) Section 353 of the railroad code of 1993, 1993 PA 354, MCL 462.353.
 - (vii) Section 237 of the Michigan penal code, 1931 PA 328, MCL 750.237.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4523 of the 99th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: House Bill No. 4523, referred to in enacting section 2, was filed with the Secretary of State February 21, 2018, and became 2018 PA 27, Eff. May 22, 2018.