

SUBSTITUTE FOR
HOUSE BILL NO. 4661

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2978.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2978. (1) AN INDIVIDUAL WHO IS A VICTIM OF FEMALE GENITAL
2 MUTILATION MAY BRING AN ACTION, IN A COURT OF COMPETENT
3 JURISDICTION, FOR DAMAGES SUSTAINED BECAUSE OF THE FEMALE GENITAL
4 MUTILATION.

5 (2) IN AN ACTION UNDER THIS SECTION, THE COURT MAY AWARD ALL
6 OF THE FOLLOWING:

7 (A) THREE TIMES THE AMOUNT OF ACTUAL DAMAGES SUSTAINED.

8 (B) DAMAGES FOR NONECONOMIC LOSS.

9 (C) COSTS AND REASONABLE ATTORNEY FEES.

10 (3) THE REMEDY PROVIDED BY THIS SECTION IS IN ADDITION TO ANY

1 OTHER RIGHT OR REMEDY THE INDIVIDUAL MAY HAVE AT LAW OR OTHERWISE.

2 (4) AS USED IN THIS SECTION:

3 (A) "FEMALE GENITAL MUTILATION" MEANS THAT TERM AS DEFINED IN
4 SECTION 5851A.

5 (B) "NONECONOMIC LOSS" MEANS DAMAGES OR LOSS DUE TO PAIN,
6 SUFFERING, INCONVENIENCE, PHYSICAL IMPAIRMENT, OR PHYSICAL
7 DISFIGUREMENT, LOSS OF SOCIETY AND COMPANIONSHIP, LOSS OF
8 CONSORTIUM, OR OTHER NONECONOMIC LOSS.

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

11 Enacting section 2. This amendatory act does not take effect
12 unless all of the following bills of the 99th Legislature are
13 enacted into law:

14 (a) House Bill No. 4636.

15 (b) House Bill No. 4641.