

HOUSE BILL No. 4524

April 25, 2017, Introduced by Reps. VanSingel and Johnson and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 6312 (MCL 600.6312), as added by 1995 PA 249.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

5 (a) A crime, an element of which is gross negligence, for
6 which the defendant is convicted.

7 (b) A crime, ~~involving~~ **AN ELEMENT OF WHICH IS** the use of
8 alcohol or a controlled substance, for which the defendant is
9 convicted and that is a violation of 1 or more of the following:

10 (i) ~~Section 14~~ **CONDUCT THAT VIOLATED FORMER SECTION 14** of the
11 explosives act of 1970, ~~Act No. 202 of the Public Acts of 1970,~~

~~being section 29.54 of the Michigan Compiled Laws.1970 PA 202.~~

(ii) ~~Section 111 of the Michigan code of military justice of 1980, Act No. 523 of the Public Acts of 1980, being section 32.1111 of the Michigan Compiled Laws.1980 PA 523, MCL 32.1111.~~

(iii) ~~Section 625 of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.625 of the Michigan Compiled Laws.1949 PA 300, MCL 257.625.~~

(iv) ~~Section 185 of the Aeronautics code of the state of Michigan, Act No. 327 of the Public Acts of 1945, being section 259.185 of the Michigan Compiled Laws.1945 PA 327, MCL 259.185.~~

(v) ~~Section 80176, of part 801 (marine safety), 81134, of part 811 (off-road recreation vehicles), or 82127 of part 821 (snowmobiles) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.80176, 324.81134, and 324.82127 of the Michigan Compiled Laws. 1994 PA 451, MCL 324.80176, 324.81134, AND 324.82127.~~

(vi) ~~Section 353 of the railroad code of 1993, Act No. 354 of the Public Acts of 1993, being section 462.353 of the Michigan Compiled Laws.1993 PA 354, MCL 462.353.~~

(vii) ~~Section 237 of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being section 750.237 of the Michigan Compiled Laws.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 Senate Bill No.____ or House Bill No. 4523 (request no. 02512'17) of the 99th Legislature is enacted into law.