

# HOUSE BILL NO. 5106

October 15, 2019, Introduced by Reps. Schroeder and Meerman and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
(MCL 760.1 to 777.69) by adding section 27d to chapter VIII.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER VIII

1  
2       **Sec. 27d. (1) Except if offered against a defendant to prove**  
3 **the occurrence of the act or acts of domestic violence which form**  
4 **the basis of a criminal charge, in a criminal action, expert**  
5 **testimony is admissible by either the prosecution or the defense**



1 regarding intimate partner battering and its effects, including the  
2 nature and effect of physical, emotional, or mental abuse on the  
3 beliefs, perceptions, or behavior of victims of domestic violence.

4 (2) The foundation is sufficient for admission of expert  
5 testimony under subsection (1) if the proponent of the evidence  
6 establishes its relevancy and the proper qualifications of the  
7 expert witness. Expert opinion testimony on intimate partner  
8 battering and its effects must not be considered a new scientific  
9 technique whose reliability is unproven.

10 (3) For purposes of this section, "domestic violence" means  
11 that term as defined in section 1 of 1978 PA 389, MCL 400.1501.

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

