

HOUSE BILL NO. 4097

February 03, 2021, Introduced by Reps. Brabec, Whitsett, Glenn, Whiteford, Calley, Kahle, Rendon, Paquette, Bollin, Wozniak, Lasinski, Clemente, Camilleri, Hammoud, Puri, Thanedar, Stone, Bolden, Allor, Jones and Yancey and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 462h (MCL 750.462h), as amended by 2014 PA 329.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 462h. **(1)** In a prosecution under this chapter, the
2 victim's resistance or lack of resistance to the actor is not
3 relevant.

4 **(2) A person must not be excused from attending and testifying**
5 **or producing any books, papers, or other documents before a court**

1 or magistrate upon an investigation, proceeding, or trial for a
2 violation of this chapter on the ground that the testimony or
3 evidence may tend to degrade or incriminate the person. Truthful
4 testimony, evidence, or other truthful information compelled under
5 this section and any information derived directly or indirectly
6 from that truthful testimony, evidence, or other truthful
7 information must not be used against the witness in a criminal
8 case, except for impeachment purposes or in a prosecution for
9 perjury or otherwise failing to testify or produce evidence as
10 required.