



Senate Fiscal Agency  
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enate Bill 236 (as introduced 3-23-23)  
Sponsor: Senator Jeff Irwin  
Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 4-12-23

### **CONTENT**

**The bill would amend Chapter LXXVI (Rape) of the Michigan Penal Code to modify the definition of "mentally incapacitated".**

Under the Code, "mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance, *administered to that person without his or her consent*, or due to any *other* act committee to that person without his or her consent.

Under the bill, "mentally incapacitated" would mean that a person is rendered temporarily incapable of appraising or controlling the person's conduct due to the influence of a narcotic, anesthetic, or other substance or due to any act committee to that person without the person's consent.

The bill would take effect 90 days after its enactment.

MCL 750.520a

Legislative Analyst: Tyler P. VanHuyse

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco, Jr.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.