

HOUSE BILL NO. 4532

June 03, 2025, Introduced by Reps. Price, Hope, Brixie, Mentzer, Coffia, Green, Weiss, Morgan, Rheingans, Bierlein, Martus, MacDonell, Miller, Young, Tsernoglou, Hoskins, Glanville, Arbit, Longjohn, Herzberg, B. Carter, Liberati, Byrnes, T. Carter and Alexander and referred to Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending sections 81, 81a, and 81d (MCL 750.81, 750.81a, and
750.81d), sections 81 and 81a as amended by 2023 PA 271 and section
81d as amended by 2006 PA 517.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 81. (1) Except as otherwise provided in this section, a
2 person who assaults or assaults and batters an individual, if no
3 other punishment is prescribed by law, is guilty of a misdemeanor

1 punishable by imprisonment for not more than 93 days or a fine of
2 not more than \$500.00, or both. ~~If the victim of a violation under~~
3 ~~this subsection is a health professional or medical volunteer and~~
4 ~~the violation occurs while the victim is performing the victim's~~
5 ~~duties as a health professional or medical volunteer, the person is~~
6 ~~guilty of a misdemeanor punishable by imprisonment for not more~~
7 ~~than 93 days or a fine of not more than \$1,000.00, or both. The~~
8 ~~enhanced fine under this subsection does not apply if the defendant~~
9 ~~is a patient who is receiving treatment from the victim.~~

10 (2) Except as provided in subsection (3), (4), or (5), an
11 individual who assaults or assaults and batters the individual's
12 spouse or former spouse, an individual with whom the individual has
13 or has had a dating relationship, an individual with whom the
14 individual has had a child in common, or a resident or former
15 resident of the individual's household, is guilty of a misdemeanor
16 punishable by imprisonment for not more than 93 days or a fine of
17 not more than \$500.00, or both.

18 (3) An individual who assaults or assaults and batters an
19 individual who is pregnant and who knows the individual is pregnant
20 is guilty of a misdemeanor punishable by imprisonment for not more
21 than 93 days or a fine of not more than \$500.00, or both.

22 (4) An individual who commits an assault or an assault and
23 battery in violation of subsection (2) or (3), and who has
24 previously been convicted of assaulting or assaulting and battering
25 an individual described in either subsection (2) or subsection (3)
26 under any of the following, is guilty of a misdemeanor punishable
27 by imprisonment for not more than 1 year or a fine of not more than
28 \$1,000.00, or both:

29 (a) This section or an ordinance of a political subdivision of

1 this state substantially corresponding to this section.

2 (b) Section 81a, 82, 83, 84, or 86.

3 (c) A law of another state or an ordinance of a political
4 subdivision of another state substantially corresponding to this
5 section or section 81a, 82, 83, 84, or 86.

6 (5) An individual who commits an assault or an assault and
7 battery in violation of subsection (2) or (3), and who has 2 or
8 more previous convictions for assaulting or assaulting and
9 battering an individual described in either subsection (2) or
10 subsection (3) under any of the following, is guilty of a felony
11 punishable by imprisonment for not more than 5 years or a fine of
12 not more than \$5,000.00, or both:

13 (a) This section or an ordinance of a political subdivision of
14 this state substantially corresponding to this section.

15 (b) Section 81a, 82, 83, 84, or 86.

16 (c) A law of another state or an ordinance of a political
17 subdivision of another state substantially corresponding to this
18 section or section 81a, 82, 83, 84, or 86.

19 (6) This section does not apply to an individual using
20 necessary reasonable physical force in compliance with section 1312
21 of the revised school code, 1976 PA 451, MCL 380.1312.

22 ~~(7) The operator of a health facility or agency or a hospital~~
23 ~~or psychiatric hospital shall post a sign in the health facility or~~
24 ~~agency or hospital or psychiatric hospital in a prominent and~~
25 ~~visible location that provides that a person, other than a patient~~
26 ~~receiving treatment, who assaults a health professional or medical~~
27 ~~volunteer in violation of this section is subject to the enhanced~~
28 ~~fine provided for in this section and that a patient receiving~~
29 ~~treatment who assaults a health professional or medical volunteer~~

1 ~~may still be subject to prosecution under this section.~~

2 (7) ~~(8)~~ As used in this section, ÷

3 ~~(a) "Dating"~~ **"dating"** relationship" means frequent, intimate
4 associations primarily characterized by the expectation of
5 affectional involvement. This term does not include a casual
6 relationship or an ordinary fraternization between 2 individuals in
7 a business or social context.

8 ~~(b) "Health facility or agency" means a health facility or~~
9 ~~agency licensed under article 17 of the public health code, 1978 PA~~
10 ~~368, MCL 333.20101 to 333.22260.~~

11 ~~(c) "Health professional" means an individual who is employed~~
12 ~~or granted privileges by or under contract with a hospital or~~
13 ~~psychiatric hospital, health facility or agency, health system, or~~
14 ~~health care provider, whether operated by a governmental unit or a~~
15 ~~private entity, and whose duties within the scope of that~~
16 ~~employment, privilege, or contract involve the provision of direct~~
17 ~~patient care and require licensure, registration, certification, or~~
18 ~~other regulation or authorization under the public health code,~~
19 ~~1978 PA 368, MCL 333.1101 to 333.25211, or who is providing~~
20 ~~indirect patient care under the direction of a hospital or~~
21 ~~psychiatric hospital, health facility or agency, health system, or~~
22 ~~health care provider.~~

23 ~~(d) "Hospital or psychiatric hospital" means a hospital or~~
24 ~~psychiatric hospital licensed under the mental health code, 1974 PA~~
25 ~~258, MCL 330.1001 to 330.2106.~~

26 ~~(e) "Medical volunteer" means an individual who is~~
27 ~~volunteering at a hospital or psychiatric hospital, health facility~~
28 ~~or agency, in a health system, or with a health care provider,~~
29 ~~whether operated by a governmental unit or a private entity, and~~

~~1 whose duties as a volunteer involve the provision of direct patient~~
~~2 care, or who is providing indirect patient care under the direction~~
~~3 of a hospital or psychiatric hospital, health facility or agency,~~
~~4 health system, or health care provider.~~

5 Sec. 81a. (1) Except as otherwise provided in this section, a
6 ~~person~~ **an individual** who assaults an individual without a weapon
7 and inflicts serious or aggravated injury ~~upon~~ **on** that individual
8 without intending to commit murder or to inflict great bodily harm
9 less than murder is guilty of a misdemeanor punishable by
10 imprisonment for not more than 1 year or a fine of not more than
11 \$1,000.00, or both. ~~If the victim of a violation under this~~
12 ~~subsection is a health professional or medical volunteer and the~~
13 ~~violation occurs while the victim is performing the victim's duties~~
14 ~~as a health professional or medical volunteer, the person is guilty~~
15 ~~of a misdemeanor punishable by imprisonment for not more than 1~~
16 ~~year or a fine of not more than \$2,000.00, or both. The enhanced~~
17 ~~fine under this subsection does not apply if the defendant is a~~
18 ~~patient who is receiving treatment from the victim.~~

19 (2) Except as provided in subsection (3), an individual who
20 assaults the individual's spouse or former spouse, an individual
21 with whom the individual has or has had a dating relationship, an
22 individual with whom the individual has had a child in common, or a
23 resident or former resident of the same household without a weapon
24 and inflicts serious or aggravated injury ~~upon~~ **on** that individual
25 without intending to commit murder or to inflict great bodily harm
26 less than murder is guilty of a misdemeanor punishable by
27 imprisonment for not more than 1 year or a fine of not more than
28 \$1,000.00, or both.

29 (3) An individual who commits an assault and battery in

violation of subsection (2), and who has 1 or more previous convictions for assaulting or assaulting and battering the individual's spouse or former spouse, an individual with whom the individual has or has had a dating relationship, an individual with whom the individual has had a child in common, or a resident or former resident of the same household, in violation of any of the following, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both:

(a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.

(b) Section 81, 82, 83, 84, or 86.

(c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81, 82, 83, 84, or 86.

~~(4) The operator of a health facility or agency or a hospital or psychiatric hospital shall post a sign in the health facility or agency or hospital or psychiatric hospital in a prominent and visible location that provides that a person, other than a patient receiving treatment, who assaults a health professional or medical volunteer in violation of this section is subject to the enhanced fine provided for in this section and that a patient receiving treatment who assaults a health professional or medical volunteer may still be subject to prosecution under this section.~~

(4) ~~(5)~~ As used in this section, ÷

~~(a)~~ **"dating"** relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

1 ~~(b) "Health facility or agency" means a health facility or~~
2 ~~agency licensed under article 17 of the public health code, 1978 PA~~
3 ~~368, MCL 333.20101 to 333.22260.~~

4 ~~(c) "Health professional" means an individual who is employed~~
5 ~~or granted privileges by or under contract with a hospital or~~
6 ~~psychiatric hospital, health facility or agency, health system, or~~
7 ~~health care provider, whether operated by a governmental unit or a~~
8 ~~private entity, and whose duties within the scope of that~~
9 ~~employment, privilege, or contract involve the provision of direct~~
10 ~~patient care and require licensure, registration, certification, or~~
11 ~~other regulation or authorization under the public health code,~~
12 ~~1978 PA 368, MCL 333.1101 to 333.25211, or who is providing~~
13 ~~indirect patient care under the direction of a hospital or~~
14 ~~psychiatric hospital, health facility or agency, health system, or~~
15 ~~health care provider.~~

16 ~~(d) "Hospital or psychiatric hospital" means a hospital or~~
17 ~~psychiatric hospital licensed under the mental health code, 1974 PA~~
18 ~~258, MCL 330.1001 to 330.2106.~~

19 ~~(e) "Medical volunteer" means an individual who is~~
20 ~~volunteering at a hospital or psychiatric hospital, health facility~~
21 ~~or agency, in a health system, or with a health care provider,~~
22 ~~whether operated by a governmental unit or a private entity, and~~
23 ~~whose duties as a volunteer involve the provision of direct patient~~
24 ~~care, or who is providing indirect patient care under the direction~~
25 ~~of a hospital or psychiatric hospital, health facility or agency,~~
26 ~~health system, or health care provider.~~

27 Sec. 81d. (1) Except as **otherwise** provided in ~~subsections (2),~~
28 ~~(3), and (4),~~ **this section**, an individual who assaults, batters,
29 wounds, resists, obstructs, opposes, or endangers a person who the

1 individual knows or has reason to know is performing ~~his or her the~~
2 **person's** duties is guilty of a felony punishable by imprisonment
3 for not more than 2 years or a fine of not more than \$2,000.00, or
4 both.

5 (2) Except as otherwise provided in this section, an
6 individual who assaults, batters, wounds, or endangers a health
7 professional or a medical volunteer who the individual knows or has
8 reason to know is performing the health professional's or medical
9 volunteer's duties while on or adjacent to a hospital, health
10 system, or health care provider is guilty of a felony punishable by
11 imprisonment for not more than 2 years or a fine of not more than
12 \$2,000.00, or both.

13 (3) ~~(2) An individual who assaults, batters, wounds, resists,~~
14 ~~obstructs, opposes, or endangers a person who the individual knows~~
15 ~~or has reason to know is performing his or her duties violates~~
16 **subsection (1) or (2)** causing a bodily injury requiring medical
17 attention or medical care to that person, **health professional, or**
18 **medical volunteer** is guilty of a felony punishable by imprisonment
19 for not more than 4 years or a fine of not more than \$5,000.00, or
20 both.

21 (4) ~~(3) An individual who assaults, batters, wounds, resists,~~
22 ~~obstructs, opposes, or endangers a person who the individual knows~~
23 ~~or has reason to know is performing his or her duties violates~~
24 **subsection (1) or (2)** causing a serious impairment of a body
25 function of that person, **health professional, or medical volunteer**
26 is guilty of a felony punishable by imprisonment for not more than
27 15 years or a fine of not more than \$10,000.00, or both.

28 (5) ~~(4) An individual who assaults, batters, wounds, resists,~~
29 ~~obstructs, opposes, or endangers a person who the individual knows~~

~~or has reason to know is performing his or her duties~~ **violates**
subsection (1) or (2) causing the death of that person, **health**
professional, or medical volunteer is guilty of a felony punishable
 by imprisonment for not more than 20 years or a fine of not more
 than \$20,000.00, or both.

(6) ~~(5)~~ This section does not prohibit an individual from
 being charged with, convicted of, or punished for any other
 violation of law that is committed by that individual while
 violating this section.

(7) ~~(6)~~ A term of imprisonment imposed for a violation of this
 section may run consecutively to any term of imprisonment imposed
 for another violation arising from the same transaction.

(8) ~~(7)~~ As used in this section:

(a) "Health professional" means an individual who is employed
by a hospital, health system, or health care provider, whether
operated by a governmental unit or a private entity, and whose
duties within the scope of that employment involve the provision of
direct patient care and require licensure, certification, or other
regulation under the public health code, 1978 PA 368, MCL 333.1101
to 333.25211, or supervision by another individual who is regulated
under the public health code, 1978 PA 368, MCL 333.1101 to
333.25211, or who is providing security, patient monitoring, or
other indirect patient care under the direction of a hospital,
health system, or health care provider.

(b) "Medical volunteer" means an individual who is
volunteering at a hospital, in a health system, or with a health
care provider, whether operated by a governmental unit or a private
entity, and whose duties as a volunteer involve the provision of
direct patient care, or who is providing indirect patient care

1 under the direction of a hospital, health system, or health care
2 provider.

3 (c) ~~(a)~~—"Obstruct" includes the use or threatened use of
4 physical interference or force or a knowing failure to comply with
5 a lawful command.

6 (d) ~~(b)~~—"Person" means any of the following:

7 (i) A police officer of this state or of a political
8 subdivision of this state including, but not limited to, a motor
9 carrier officer or capitol security officer of the department of
10 state police.

11 (ii) A police officer of a junior college, college, or
12 university who is authorized by the governing board of that junior
13 college, college, or university to enforce state law and the rules
14 and ordinances of that junior college, college, or university.

15 (iii) A conservation officer of the department of natural
16 resources or the department of environmental quality.

17 (iv) A conservation officer of the United States ~~department of~~
18 ~~the interior.~~**Department of the Interior.**

19 (v) A sheriff or deputy sheriff.

20 (vi) A constable.

21 (vii) A peace officer of a duly authorized police agency of the
22 United States, including, but not limited to, an agent of the
23 ~~secret service~~**Secret Service** or ~~department of justice.~~**Department**
24 **of Justice.**

25 (viii) A firefighter.

26 (ix) Any emergency medical service personnel described in
27 section 20950 of the public health code, 1978 PA 368, MCL
28 333.20950.

29 (x) An individual engaged in a search and rescue operation as

1 that term is defined in section 50c.

2 (e) ~~(e)~~ "Serious impairment of a body function" means that
3 term as defined in section 58c of the Michigan vehicle code, 1949
4 PA 300, MCL 257.58c.

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

7 Enacting section 2. This amendatory act does not take effect
8 unless all of the following bills of the 103rd Legislature are
9 enacted into law:

10 (a) Senate Bill No. ____ (request no. S00706'25) or House Bill
11 No. 4534 (request no. H00706'25).

12 (b) Senate Bill No. ____ (request no. S00707'25) or House Bill
13 No. 4535 (request no. H00707'25).