

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 862

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 20198.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20198. (1) SUBJECT TO SUBSECTION (3), AN INDIVIDUAL
2 SHALL NOT ENTER UPON THE PREMISES OF A HEALTH FACILITY OR AGENCY
3 THAT IS AN INPATIENT FACILITY, AN OUTPATIENT FACILITY, OR A RESI-
4 DENTIAL FACILITY FOR THE PURPOSE OF ENGAGING IN AN ACTIVITY THAT
5 WOULD CAUSE A REASONABLE PERSON TO FEEL TERRORIZED, FRIGHTENED,
6 INTIMIDATED, THREATENED, HARASSED, OR MOLESTED AND THAT ACTUALLY
7 CAUSES A HEALTH FACILITY OR AGENCY EMPLOYEE, PATIENT, RESIDENT,
8 OR VISITOR TO FEEL TERRORIZED, FRIGHTENED, INTIMIDATED, THREAT-
9 ENED, HARASSED, OR MOLESTED. THIS SUBSECTION DOES NOT PROHIBIT
10 CONSTITUTIONALLY PROTECTED ACTIVITY OR CONDUCT THAT SERVES A
11 LEGITIMATE PURPOSE.

SB0862, As Passed House, June 30, 1998

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1 (2) AN INDIVIDUAL WHO VIOLATES SUBSECTION (1) IS GUILTY OF A
2 MISDEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR
3 OR A FINE OF NOT LESS THAN \$1,000.00 OR MORE THAN \$10,000.00, OR
4 BOTH.

5 (3) SUBSECTIONS (1) AND (2) DO NOT APPLY TO A NURSING HOME
6 COVERED UNDER SECTIONS 21763(5) AND 21799C(1)(C).