



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5548 (Substitute S-2 as reported by the Committee of the Whole)

Sponsor: Representative Tim Moore

House Committee: Judiciary

Senate Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to provide that an individual who used deadly force or force other than deadly force in self-defense or defense of another individual, in compliance with Section 2 of the Self-Defense Act (proposed by House Bill 5143), would be immune from civil liability for damages caused to either of the following by the use of that deadly force or force other than deadly force:

- The individual against whom the use of force was authorized.
- Any individual claiming damages arising out of injury to or the death of the individual against whom the use of force was authorized, based on his or her relationship to that individual.

(Section 2 of the proposed Self-Defense Act would allow an individual who was not committing a crime to use deadly force anywhere he or she had a right to be, with no duty to retreat, if he or she honestly and reasonably believed that the use of deadly force was necessary to prevent imminent death, great bodily harm, or sexual assault. It also would allow a person to use force other than deadly force anywhere he or she had a right to be, with no duty to retreat, if he or she honestly and reasonably believed that the use of force was necessary to defend against the imminent unlawful use of force by another individual.)

The bill would take effect on October 1, 2006, and is tie-barred to Senate Bills 1046 and 1185 and House Bills 5142, 5143, and 5153.

Proposed MCL 600.2922b

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

Date Completed: 6-6-06

Fiscal Analyst: Stephanie Yu