

HOUSE BILL NO. 5767

February 17, 2022, Introduced by Reps. LaGrand, Yancey, Neeley, Scott, Steckloff, Coleman, Camilleri, Clemente, Hope, Ellison, Koleszar, Tyrone Carter, Stone, Sabo, Lasinski, Brenda Carter, Sowerby, Brabec, Cynthia Johnson, Rabhi, Brixie, Hood, Breen, Pohutsky, Puri, Young, Garza, Haadsma, Manoogian, Weiss, Morse, Kuppa, Thanedar, O'Neal, Rogers and Aiyash and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 27d to chapter VIII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER VIII

Sec. 27d. (1) In a criminal action in which the defendant is
accused of an offense involving a violation of chapter LXXVI of the
Michigan penal code, 1931 PA 328, MCL 750.520a to 750.520o,

1 evidence of the defendant's past actions involving the grooming of
2 the victim is admissible for the purpose of demonstrating that the
3 victim did not consent to the sexual penetration or sexual contact.

4 (2) This section applies to prosecutions commenced on or after
5 the effective date of the amendatory act that added this section.

6 (3) As used in this section:

7 (a) "Grooming" means a pattern of behavior by an individual
8 with either authority or influence, through age or other means, who
9 engaged in a course of behavior designed to normalize unwanted
10 sexual advances or contact.

11 (b) "Sexual contact" means that term as defined in section
12 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a.

13 (c) "Sexual penetration" means that term as defined in section
14 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a.