

# HOUSE BILL NO. 4516

May 04, 2023, Introduced by Reps. Coffia, McKinney, Hope, Brabec, Arbit, Byrnes, Fitzgerald, Morgan, Paiz, Breen, Wilson, Brixie, Conlin, MacDonell, Churches, Rheingans, Andrews, Coleman, Glanville, Miller, Dievendorf, Hood, Hill, Snyder and Hoskins and referred to the Committee on Criminal Justice.

A bill to amend 1978 PA 389, entitled

"An act to provide for the prevention and treatment of domestic and sexual violence; to develop and establish policies, procedures, and standards for providing domestic and sexual violence assistance programs and services; to declare the powers and duties of the Michigan domestic and sexual violence prevention and treatment board; to establish a domestic violence prevention and treatment fund and provide for its use; to provide for the powers and duties of certain state governmental officers and entities; to prescribe immunities and liabilities of certain persons and officials; and to prescribe penalties for violations of this act,"

by amending section 1 (MCL 400.1501), as amended by 2018 PA 281.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**        Sec. 1. As used in this act:

1 (a) "Board" means the Michigan domestic and sexual violence  
2 prevention and treatment board created under Executive Order No.  
3 2012-17.

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

9 (c) "Department" means the department of health and human  
10 services.

11 (d) "Domestic violence" means the occurrence of any of the  
12 following acts by ~~a person~~ **an individual** that is not an act of  
13 self-defense:

14 (i) Causing or attempting to cause physical or mental harm to a  
15 family or household member.

16 (ii) Placing a family or household member in fear of physical  
17 or mental harm.

18 (iii) Causing or attempting to cause a family or household  
19 member to engage in involuntary sexual activity by force, threat of  
20 force, or duress.

21 (iv) Engaging in activity toward a family or household member  
22 that would cause a reasonable ~~person~~ **individual** to feel terrorized,  
23 frightened, intimidated, threatened, harassed, or molested.

24 (e) "Family or household member" includes any of the  
25 following:

26 (i) A spouse or former spouse.

27 (ii) An individual with whom the person resides or has resided.

28 (iii) An individual with whom the person has or has had a dating  
29 relationship.

1           (iv) An individual with whom the person is or has engaged in a  
2 sexual relationship.

3           (v) An individual to whom the person is related or was  
4 formerly related by marriage.

5           (vi) An individual with whom the person has a child in common.

6           (vii) The minor child of an individual described in  
7 subparagraphs (i) to (vi).

8           (f) "Fund" means the domestic violence prevention and  
9 treatment fund created in section 5.

10          (g) "Prime sponsor" means a county, city, village, or township  
11 of this state, or a combination thereof, **a federally recognized**  
12 **Indian tribe that has trust land located within this state**, or a  
13 private, nonprofit association or organization.