

# HOUSE BILL NO. 4787

June 15, 2023, Introduced by Reps. Steckloff and Morgan and referred to the Committee on Government Operations.

A bill to amend 1935 PA 85, entitled  
"An act to abrogate the common law rule raising a presumption that a married woman committing an offense does so under coercion because she commits it in the presence of her husband,"  
by amending the title and section 1 (MCL 780.401), as amended by 1990 PA 220.

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

**1** TITLE  
**2** An act to abrogate the common law rule raising a presumption  
**3** that a married woman committing an offense does so under coercion

1 ~~because-if~~ she commits ~~it-the~~ **offense** in the presence of her  
2 ~~husband-spouse~~.

3       Sec. 1. In the prosecution of ~~any-a~~ complaint or indictment  
4 charging a criminal offense, **there is** no presumption ~~shall-be~~  
5 ~~indulged~~ that a married woman committing an offense **in the presence**  
6 **of her spouse** does so ~~under-because of the~~ coercion ~~because she~~  
7 ~~commits it in the presence of her husband~~.**of her spouse**.

8       Enacting section 1. This amendatory act does not take effect  
9 unless Senate Joint Resolution \_\_\_\_ or House Joint Resolution F  
10 (request no. 00367'23) of the 102nd Legislature becomes a part of  
11 the state constitution of 1963 as provided in section 1 of article  
12 XII of the state constitution of 1963.