

HOUSE BILL NO. 5410

January 30, 2024, Introduced by Reps. Arbit, Rheingans, Dievendorf, Byrnes, Miller and MacDonell and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending sections 158 and 159 (MCL 750.158 and 750.159).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7

CHAPTER XXV

~~CRIME AGAINST NATURE OR SODOMY~~ **BESTIALITY OR SEXUAL CONDUCT UPON HUMAN CORPSE**

Sec. 158. ~~(1) Any person~~ **(1) An individual** who ~~shall commit the~~
~~abominable and detestable crime against nature either with mankind~~
~~or with any animal shall be~~ **commits bestiality or sexual contact or**
sexual penetration upon a human corpse is guilty of a felony,

1 punishable by imprisonment ~~in the state prison~~ **for** not more than 15
 2 years, or if ~~such person~~ **the individual** was at the time of the said
 3 ~~offense~~ a sexually delinquent person, ~~may be~~ **at the time the**
 4 **individual committed bestiality or sexual contact or sexual**
 5 **penetration upon a human corpse, the individual is guilty of a**
 6 **felony** punishable by imprisonment ~~in the state prison~~ for an
 7 indeterminate term, the minimum of which ~~shall~~ **must** be **not less**
 8 **than** 1 day and the maximum of which ~~shall be~~ **is** life.

9 (2) **As used in this section:**

10 (a) **"Sexual contact" means the conduct described under section**
 11 **520a committed upon a human corpse.**

12 (b) **"Sexual penetration" means the conduct described under**
 13 **section 520a committed upon a human corpse.**

14 Sec. 159. In any prosecution for ~~sedomy~~, ~~it shall not be~~
 15 **bestiality, it is not** necessary to prove emission, and any sexual
 16 penetration, however slight, ~~shall be deemed~~ **is** sufficient to
 17 complete the crime ~~specified in the next preceding~~ **of bestiality**
 18 **under section 158.**

19 Enacting section 1. This amendatory act takes effect 90 days
 20 after the date it is enacted into law.