



HOUSE BILL No. 4894

June 29, 1993, Introduced by Reps. Bodem, Kukuk, Hill, Vorva, Rhead, Brackenridge, McBryde, Galloway, Gustafson, Hammerstrom, Anthony, Porreca, Gernaat, Dalman, Stille, Gnodtke, Willard, Lowe and Nye and referred to the Committee on Judiciary.

A bill to amend Act No. 328 of the Public Acts of 1931, entitled as amended "The Michigan penal code," as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding section 50a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 328 of the Public Acts of 1931, as
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled
3 Laws, is amended by adding section 50a to read as follows:

4 SEC. 50A. (1) AN INDIVIDUAL WHO HARASSES, ANNOYS, INJURES,
5 ATTEMPTS TO INJURE, MOLESTS, OR INTERFERES WITH A GUIDE OR LEADER
6 DOG FOR A BLIND INDIVIDUAL, A HEARING DOG FOR A DEAF OR AUDIBLY
7 IMPAIRED INDIVIDUAL, OR A SERVICE DOG FOR A PHYSICALLY LIMITED
8 INDIVIDUAL IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT

1 FOR NOT MORE THAN 90 DAYS OR A FINE OF NOT MORE THAN \$100.00, OR
2 BOTH.

3 (2) A CONVICTION AND IMPOSITION OF A SENTENCE UNDER THIS
4 SECTION DOES NOT PREVENT A CONVICTION AND IMPOSITION OF A SEN-
5 TENCE UNDER ANY OTHER APPLICABLE PROVISION OF LAW.

6 (3) AS USED IN THIS SECTION:

7 (A) "AUDIBLY IMPAIRED" MEANS THE INABILITY TO HEAR AIR CON-
8 DUCTION THRESHOLDS AT AN AVERAGE OF 40 DECIBELS OR GREATER IN THE
9 INDIVIDUAL'S BETTER EAR.

10 (B) "BLIND" MEANS HAVING A VISUAL ACUITY OF 20/200 OR LESS
11 IN THE INDIVIDUAL'S BETTER EYE WITH CORRECTION, OR HAVING A LIM-
12 TATION OF THE INDIVIDUAL'S FIELD OF VISION SUCH THAT THE WIDEST
13 DIAMETER OF THE VISUAL FIELD SUBTENDS AN ANGULAR DISTANCE NOT
14 GREATER THAN 20 DEGREES, AS DETERMINED BY THE COMMISSION FOR THE
15 BLIND.

16 (C) "DEAF" MEANS THE INDIVIDUAL'S HEARING IS TOTALLY
17 IMPAIRED OR THE INDIVIDUAL'S HEARING, WITH OR WITHOUT AMPLIFICA-
18 TION, IS SO SERIOUSLY IMPAIRED THAT THE PRIMARY MEANS OF RECEIV-
19 ING SPOKEN LANGUAGE IS THROUGH OTHER SENSORY INPUT, INCLUDING,
20 BUT NOT LIMITED TO, LIP READING, SIGN LANGUAGE, FINGER SPELLING,
21 OR READING.

22 (D) "PHYSICALLY LIMITED" MEANS HAVING LIMITED AMBULATION AND
23 INCLUDES HAVING A TEMPORARY OR PERMANENT IMPAIRMENT OR CONDITION
24 THAT CAUSES THE INDIVIDUAL TO USE A WHEELCHAIR OR WALK WITH DIF-
25 FICULTY OR INSECURITY, THAT AFFECTS SIGHT OR HEARING TO THE
26 EXTENT THAT AN INDIVIDUAL IS INSECURE OR EXPOSED TO DANGER, THAT

- 1 CAUSES FAULTY COORDINATION, OR THAT REDUCES MOBILITY,
- 2 FLEXIBILITY, COORDINATION, OR PERCEPTIVENESS.