

# HOUSE BILL No. 5594

February 7, 2002, Introduced by Reps. Woodward, Raczkowski, Anderson, Gielegem, Gosselin, Drolet, Bradstreet, Kolb, Jacobs, Quarles and Rison and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
(MCL 600.101 to 600.9948) by adding section 2974.

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

1 SEC. 2974. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), THE  
2 COURT SHALL AWARD DAMAGES UNDER SECTION 2973 UPON MOTION OF THE  
3 DEFENDANT.

4 (2) AN INDIVIDUAL SHALL NOT BE ENTITLED TO RECOVERY UNDER  
5 SECTION 2973 IF EITHER OF THE FOLLOWING OCCURS:

6 (A) THE INDIVIDUAL MADE THE COMMUNICATION THAT GAVE RISE TO  
7 THE ACTION WITH KNOWLEDGE THAT IT WAS FALSE OR WITH RECKLESS DIS-  
8 REGARD OF WHETHER THAT COMMUNICATION WAS FALSE.

9 (B) THE COMMUNICATION THAT GAVE RISE TO THE ACTION INCLUDED  
10 INFORMATION THAT THE INDIVIDUAL WAS PROHIBITED BY LAW FROM  
11 DISSEMINATING.

1 Enacting section 1. This amendatory act does not take  
2 effect unless all of the following bills of the 91st Legislature  
3 are enacted into law:

4 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 5597 (request  
5 no. 03277'01 \*).

6 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 5593 (request  
7 no. 03278'01 \*).