December 01, 2021, Introduced by Reps. Pohutsky, Sneller, Ellison, Manoogian, Haadsma, Sowerby, Brixie, Neeley, Cherry, Rogers, Weiss, Cavanagh, Morse, Rabhi, Young, Breen and Kuppa and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 21d to chapter VIII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER VIII

Sec. 21d. (1) For purposes of determining if a crime was committed because of a sudden quarrel or in a heat of passion, the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived gender, gender identity, gender
expression, or sexual orientation, including under circumstances in
which the victim made an unwanted nonforcible romantic or sexual
advance toward the defendant, or if the person and victim had a
dating relationship or sexual relationship, is not objectively
reasonable provocation.

(2) A person does not suffer from reduced mental capacity and
shall not assert a defense under section 20a of this chapter based
on the discovery of, knowledge about, or potential disclosure of
the victim's actual or perceived gender, gender identity, gender
expression, or sexual orientation, including under circumstances in
which the victim made an unwanted nonforcible romantic or sexual
advance toward the defendant, or if the person and victim had a
dating relationship or sexual relationship.

(3) Notwithstanding the provisions of any other law of this
state, a person is not justified in using force against another
person based on the discovery of, knowledge about, or potential
disclosure of the victim's actual or perceived gender, gender
identity, gender expression, or sexual orientation, including under
circumstances in which the victim made an unwanted nonforcible
romantic or sexual advance toward the defendant, or if the person
and victim had a dating relationship or sexual relationship.

(4) As used in this section, "dating relationship" means
frequent, intimate associations primarily characterized by the
expectation of affectional involvement. This term does not include
a casual relationship or an ordinary fraternization between 2
individuals in a business or social context.