

HOUSE BILL No. 4038

January 31, 1991, Introduced by Rep. Ciaramitaro and referred to the Committee on Judiciary.

A bill to amend Act No. 328 of the Public Acts of 1931, entitled

"The Michigan penal code,"

as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding section 329a.

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 329a to read as follows:

4 SEC. 329A. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SEC-
5 TION, A PERSON WHO KNOWINGLY OR INTENTIONALLY BY FORCE OR DURESS
6 CAUSES ANOTHER PERSON TO COMMIT SUICIDE IS GUILTY OF MURDER, PUN-
7 ISHABLE AS PROVIDED IN SECTION 316 OR 317.

8 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON
9 WHO KNOWINGLY OR INTENTIONALLY BY FORCE OR DURESS CAUSES ANOTHER

1 PERSON TO ATTEMPT SUICIDE IS GUILTY OF ATTEMPTED MURDER,
2 PUNISHABLE AS PROVIDED IN SECTION 91.

3 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON
4 WHO KNOWINGLY OR INTENTIONALLY DOES EITHER OF THE FOLLOWING IS
5 GUILTY OF CRIMINAL ASSISTANCE TO SUICIDE, A FELONY PUNISHABLE BY
6 IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR BY A FINE OF NOT MORE
7 THAN \$2,000.00, OR BOTH, IF THE PERSON DEMONSTRATES BY CLEAR AND
8 CONVINCING EVIDENCE THAT THE PERSON ATTEMPTING OR COMMITTING SUI-
9 CIDE WANTED TO COMMIT SUICIDE AND CONSENTED TO THE PERSON'S
10 ACTS:

11 (A) PROVIDES THE MEANS BY WHICH ANOTHER PERSON ATTEMPTS OR
12 COMMITS SUICIDE.

13 (B) ACTS AS A PARTICIPANT IN A SUICIDE OR ATTEMPTED
14 SUICIDE.

15 (4) WITHHOLDING OR WITHDRAWING MEDICAL TREATMENT UNDER THE
16 DIRECTION AND CONSENT OF A COMPETENT ADULT OR PURSUANT TO A DES-
17 IGNATION AS PROVIDED IN SECTION 496 OF THE REVISED PROBATE CODE,
18 ACT NO. 642 OF THE PUBLIC ACTS OF 1978, BEING SECTION 700.496 OF
19 THE MICHIGAN COMPILED LAWS, IS NOT SUICIDE OR ASSISTANCE TO SUI-
20 CIDE UNDER THIS SECTION.

21 (5) ADMINISTERING MEDICATIONS OR PROCEDURES THAT MAY HASTEN
22 OR INCREASE THE RISK OF DEATH TO RELIEVE A PERSON'S PAIN OR DIS-
23 COMFORT IS NOT SUICIDE OR ASSISTANCE TO SUICIDE UNDER THIS SEC-
24 TION UNLESS THE MEDICATIONS OR PROCEDURES ARE KNOWINGLY AND
25 INTENTIONALLY ADMINISTERED TO CAUSE DEATH.