

H.B. 5373

(As amended December 3, 1997)

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948) by adding section 6313.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 6313. IN A PERSONAL INJURY ACTION, THE TRIER OF FACT
2 MAY AWARD PUNITIVE DAMAGES AGAINST A DEFENDANT FOUND TO BE AT
3 FAULT IF THE CONDUCT OF THE DEFENDANT THAT WAS A PROXIMATE CAUSE
4 OF THE INJURY IS ANY OF THE FOLLOWING:

5 (A) INTENTIONAL.

6 (B) MALICIOUS.

7 (C) FRAUDULENT.

8 (D) DONE WITH A CONSCIOUS AND DELIBERATE DISREGARD OF THE
9 [SAFETY] OF OTHERS.

[(E) IN VIOLATION OF A CRIMINAL LAW OF THIS STATE, A POLITICAL
SUBDIVISION OF THIS STATE, OR THE UNITED STATES.]