

SUBSTITUTE FOR
HOUSE BILL NO. 5560

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 81e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 81E. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN
2 INDIVIDUAL WHO ASSAULTS OR BATTERS ANOTHER INDIVIDUAL UNDER ANY OF
3 THE FOLLOWING CIRCUMSTANCES AND CAUSES ANY BODILY INJURY TO THAT
4 OTHER INDIVIDUAL IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT
5 FOR NOT MORE THAN 2 YEARS OR A FINE OF NOT MORE THAN \$2,000.00, OR
6 BOTH:

7 (A) THE OTHER INDIVIDUAL IS AN EMPLOYEE OF A PUBLIC TRANSIT
8 AUTHORITY AND IS OPERATING A PUBLIC TRANSIT VEHICLE OR IS
9 PERFORMING DUTIES ASSOCIATED WITH THE OPERATION OF A PUBLIC TRANSIT

1 VEHICLE.

2 (B) THE OTHER INDIVIDUAL IS A PASSENGER ON A PUBLIC TRANSIT
3 VEHICLE OR IS ENTERING INTO OR EXITING FROM A PUBLIC TRANSIT
4 VEHICLE.

5 (2) A PERSON WHO VIOLATES THIS SECTION AND BY THAT VIOLATION
6 CAUSES A BODILY INJURY REQUIRING MEDICAL ATTENTION OR MEDICAL CARE
7 TO AN INDIVIDUAL DESCRIBED IN THIS SECTION IS GUILTY OF A FELONY
8 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF
9 NOT MORE THAN \$5,000.00, OR BOTH.

10 (3) A PERSON WHO VIOLATES THIS SECTION AND BY THAT VIOLATION
11 CAUSES SERIOUS IMPAIRMENT OF A BODY FUNCTION OF AN INDIVIDUAL
12 DESCRIBED IN THIS SECTION IS GUILTY OF A FELONY PUNISHABLE BY
13 IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR A FINE OF NOT MORE THAN
14 \$10,000.00, OR BOTH.

15 (4) A PERSON WHO VIOLATES THIS SECTION AND BY THAT VIOLATION
16 CAUSES THE DEATH OF AN INDIVIDUAL DESCRIBED IN THIS SECTION IS
17 GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 20
18 YEARS OR A FINE OF NOT MORE THAN \$20,000.00, OR BOTH.

19 (5) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING
20 CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION OF
21 LAW THAT IS COMMITTED BY THAT INDIVIDUAL WHILE VIOLATING THIS
22 SECTION.

23 (6) AS USED IN THIS SECTION:

24 (A) "PUBLIC TRANSIT AUTHORITY" MEANS AN ENTITY OF A LOCAL UNIT
25 OF GOVERNMENT OF THIS STATE OR A COMBINATION OF LOCAL UNITS OF
26 GOVERNMENT OF THIS STATE THAT IS AUTHORIZED BY LAW TO PROVIDE
27 TRANSPORTATION SERVICES TO THE GENERAL PUBLIC.

1 (B) "PUBLIC TRANSIT VEHICLE" MEANS A VEHICLE USED BY A PUBLIC
2 TRANSIT AUTHORITY TO PROVIDE TRANSPORTATION SERVICES TO THE GENERAL
3 PUBLIC.

4 (C) "SERIOUS IMPAIRMENT OF BODY FUNCTION" MEANS THAT TERM AS
5 DEFINED IN SECTION 58C OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
6 MCL 257.58C.

7 Enacting section 1. This amendatory act takes effect June 1,
8 2008.

9 Enacting section 2. This amendatory act does not take effect
10 unless House Bill No. 5562 of the 94th Legislature is enacted into
11 law.