

SENATE BILL No. 53

January 20, 2011, Introduced by Senators MARLEAU, PAPPAGEORGE, ROBERTSON, JONES, HUNE, EMMONS, GLEASON, WARREN, SCHUITMAKER and MEEKHOF and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2155.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2155. (1) A STATEMENT, WRITING, OR ACTION THAT EXPRESSES
2 SYMPATHY, COMPASSION, COMMISERATION, OR A GENERAL SENSE OF
3 BENEVOLENCE RELATING TO THE PAIN, SUFFERING, OR DEATH OF AN
4 INDIVIDUAL AND THAT IS MADE TO THAT INDIVIDUAL OR TO THE
5 INDIVIDUAL'S FAMILY IS INADMISSIBLE AS EVIDENCE OF AN ADMISSION OF
6 LIABILITY IN AN ACTION FOR MEDICAL MALPRACTICE.

7 (2) THIS SECTION DOES NOT APPLY TO A STATEMENT OF FAULT,
8 NEGLIGENCE, OR CULPABLE CONDUCT THAT IS PART OF OR MADE IN ADDITION
9 TO A STATEMENT, WRITING, OR ACTION DESCRIBED IN SUBSECTION (1).

10 (3) AS USED IN THIS SECTION, "FAMILY" MEANS SPOUSE, PARENT,

1 GRANDPARENT, STEPMOTHER, STEPFATHER, CHILD, ADOPTED CHILD,
2 GRANDCHILD, BROTHER, SISTER, HALF BROTHER, HALF SISTER, FATHER-IN-
3 LAW, OR MOTHER-IN-LAW.

4 Enacting section 1. This amendatory act applies only to civil
5 actions filed on or after the effective date of this amendatory
6 act.