

HOUSE BILL NO. 5199

July 01, 2021, Introduced by Reps. Cynthia Johnson and Rabhi and referred to the Committee on Government Operations.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending sections 30, 90, 166, and 335 (MCL 750.30, 750.90,
750.166, and 750.335), section 335 as amended by 2002 PA 672.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30. ~~Punishment—Any~~ **A** person who ~~shall commit~~ **commits**
2 adultery ~~shall be~~ **is** guilty of a felony. ~~; and when the crime~~ **If**
3 **adultery** is committed between a married ~~woman~~ **person** and a ~~man~~
4 **person** who is unmarried, the ~~man shall be~~ **unmarried person is**

1 guilty of adultery, and ~~liable~~**subject** to the same punishment.

2 Sec. 90. ~~Sexual intercourse under pretext of medical~~
 3 ~~treatment~~~~Any~~ **A** person who shall undertake to medically treat
 4 **provides medical treatment to** any female person, and while so
 5 ~~treating her, shall represent to such female~~**providing that**
 6 **treatment represents to the patient** that it is, or will be,
 7 necessary or beneficial to ~~her~~**the patient's** health ~~that she to~~
 8 have sexual intercourse with a man, and shall thereby induce her to
 9 ~~have carnal sexual intercourse with any man, and any man, not being~~
 10 ~~the husband of such female, who shall have~~**any person who is not**
 11 **the patient's spouse resulting in the patient having** sexual
 12 intercourse with her ~~by reason of such~~**any person who is not his or**
 13 **her spouse because of the** representation, ~~shall be~~**is** guilty of a
 14 felony, punishable by imprisonment ~~in the state prison for~~ not more
 15 than 10 years.

16 Sec. 166. ~~Wife may testify against husband~~In all prosecutions
 17 under this chapter, ~~the wife~~**a person** may testify against ~~the~~
 18 ~~husband~~**his or her spouse** without ~~his~~**the spouse's** consent.

19 Sec. 335. Any ~~man or woman,~~**2 people,** not being married to
 20 each other, who lewdly and lasciviously ~~associates~~**associate** and
 21 ~~cohabits~~**cohabit** together, and any ~~man or woman,~~**2 people,** married
 22 or unmarried, who ~~is~~**are** guilty of open and gross ~~lewdness~~**lewd** and
 23 lascivious behavior, ~~is~~**are** guilty of a misdemeanor punishable by
 24 imprisonment for not more than 1 year, or a fine of not more than
 25 \$1,000.00. No prosecution ~~shall~~**may** be commenced under this section
 26 after 1 year from the time of committing the offense.

27 Enacting section 1. This amendatory act does not take effect
 28 unless Senate Joint Resolution ____ or House Joint Resolution ____
 29 (request no. 02344'21) of the 101st Legislature becomes a part of

- 1 the state constitution of 1963 as provided in section 1 of article
- 2 XII of the state constitution of 1963.