

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 380**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948) by adding section 2974.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2974. (1) IF A CIVIL ACTION FOR DAMAGES AGAINST AN
2 ENTERTAINMENT FORUM IS BASED ON FALSE IMPRISONMENT, WRONGFUL
3 EJECTION, UNLAWFUL ARREST, ASSAULT, BATTERY, LIBEL, OR SLANDER,
4 OR A SUBSTANTIALLY SIMILAR CAUSE OF ACTION, IS BASED ON THE CON-
5 DUCT OF AN INDIVIDUAL WHO VIOLATED THE TERMS FOR ADMISSION TO THE
6 ENTERTAINMENT FORUM, OR IS BASED ON THE CONDUCT OF AN INDIVIDUAL
7 WHO CREATED A NUISANCE AT THE ENTERTAINMENT FORUM, THE PLAINTIFF
8 CANNOT RECOVER DAMAGES OF ANY KIND IF THE ENTERTAINMENT FORUM HAD
9 REASONABLE CAUSE TO BELIEVE AND DID BELIEVE THAT THE INDIVIDUAL
10 VIOLATED THE TERMS FOR ADMISSION TO THE ENTERTAINMENT FORUM OR
11 CREATED A NUISANCE AT THE ENTERTAINMENT FORUM. THIS SUBSECTION

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1 DOES NOT APPLY IF THE ENTERTAINMENT FORUM USED UNREASONABLE FORCE
2 AGAINST THE INDIVIDUAL IN LIGHT OF THE CIRCUMSTANCES OR DETAINED
3 THE INDIVIDUAL FOR AN UNREASONABLE LENGTH OF TIME IN LIGHT OF THE
4 CIRCUMSTANCES.

5 (2) AS USED IN THIS SECTION:

6 (A) "CREATED A NUISANCE" MEANS THE INDIVIDUAL DID [EITHER]
7 OF THE FOLLOWING AT AN ENTERTAINMENT FORUM:

8 (i) ENGAGED IN CONDUCT THAT IF COMMITTED BY AN ADULT WOULD
9 CONSTITUTE A MISDEMEANOR OR A FELONY IN THIS STATE.

10 (ii) PHYSICALLY HARMED OR THREATENED TO PHYSICALLY HARM AN
11 INDIVIDUAL OR PROPERTY AT THE ENTERTAINMENT FORUM.

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18 [(iii)] VIOLATED A PUBLISHED OR ANNOUNCED RULE OF THE ENTER-
19 TAINMENT FORUM OF WHICH THE INDIVIDUAL KNEW OR SHOULD HAVE
20 KNOWN [AND WHICH VIOLATION ENDANGERED THE SAFETY OF THE INDIVIDUAL OR
OTHERS].

21 (B) "ENTERTAINMENT FORUM" MEANS AN ARENA, A THEATER, INCLUD-
22 ING A THEATER WITH 1 OR MORE AUDITORIUMS IN A SINGLE STRUCTURE
23 FOR WHICH THERE IS A COMMON PARKING AREA, A CIRCUS, ATHLETIC
24 GROUNDS USED FOR AN ATHLETIC EVENT OR OTHER FORM OF PUBLIC ENTER-
25 TAINMENT, [CASINO LICENSED UNDER THE MICHIGAN GAMING CONTROL AND REVENUE
ACT, THE INITIATED LAW OF 1996, MCL 432.201 TO 432.226,] OR ANY OTHER
PLACE OF PUBLIC ENTERTAINMENT, WITH AN

26 AGGREGATE SEATING CAPACITY OF NOT LESS THAN 200. ENTERTAINMENT

27 FORUM INCLUDES AN OWNER, LESSEE, MANAGER, OR OPERATOR OF AN

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1 ENTERTAINMENT FORUM, AN AGENT OF AN ENTERTAINMENT FORUM, OR AN
2 INDEPENDENT CONTRACTOR PROVIDING SECURITY FOR AN ENTERTAINMENT
3 FORUM.

4 (C) "VIOLATED THE TERMS FOR ADMISSION" MEANS THE INDIVIDUAL
5 WHO WAS ADMITTED TO AN ENTERTAINMENT FORUM DID [EITHER] OF THE
6 FOLLOWING:

7 (i) ENGAGED IN CONDUCT THAT IF COMMITTED BY AN ADULT WOULD
8 CONSTITUTE A MISDEMEANOR OR A FELONY IN THIS STATE.

9 (ii) PHYSICALLY HARMED OR THREATENED TO PHYSICALLY HARM THE
10 ENTERTAINMENT FORUM OR ANOTHER INDIVIDUAL ADMITTED TO THE ENTER-
11 TAINMENT FORUM.

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18 [(iii)] VIOLATED A PUBLISHED OR ANNOUNCED RULE OF THE ENTER-
19 TAINMENT FORUM OF WHICH THE INDIVIDUAL KNEW OR SHOULD HAVE
20 KNOWN [AND WHICH VIOLATION ENDANGERED THE SAFETY OF THE INDIVIDUAL OR
OTHERS].

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