

HOUSE BILL No. 5548

January 17, 2006, Introduced by Reps. Moore, Jones, Pavlov, Baxter, Marleau, Casperson, LaJoy, Shaffer, Stakoe, Hune, Hildenbrand, Garfield, Hansen, Newell, Nofs, Polidori, Robertson, Rocca, Sheltroun, Kahn, Mortimer, Elsenheimer, Taub, Hummel, Kooiman, Drolet, Gosselin, Farhat, Acciavatti, David Law, Espinoza and Gleason 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 2922b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2922B. (1) AN INDIVIDUAL WHO USES FORCE IN COMPLIANCE
2 WITH THE SELF-DEFENSE ACT, AND WHO IS NOT ENGAGED IN THE COMMISSION
3 OF A CRIME AT THE TIME HE OR SHE USED THAT FORCE, IS IMMUNE FROM
4 CIVIL LIABILITY FOR THE USE OF THAT FORCE.

5 (2) THE COURT SHALL, UNDER THIS SECTION, AWARD THE PAYMENT OF
6 ACTUAL AND REASONABLE ATTORNEY FEES AND COSTS TO AN INDIVIDUAL WHO
7 IS ALLEGED TO HAVE USED FORCE AGAINST ANOTHER INDIVIDUAL IF THE
8 COURT DETERMINES THAT THE USE OF FORCE WAS IN COMPLIANCE WITH THE

1 SELF-DEFENSE ACT AND THAT THE INDIVIDUAL IS THEREFORE IMMUNE FROM
2 CIVIL LIABILITY UNDER SUBSECTION (1).

3 Enacting section 1. This amendatory act does not take effect
4 unless all of the following bills of the 93rd Legislature are
5 enacted into law:

6 (a) House Bill No. 5143.

7 (b) House Bill No. 5153.