

HOUSE BILL No. 5807

September 16, 2014, Introduced by Rep. Shirkey and referred to the Committee on Criminal Justice.

A bill to amend 1846 RS 1, entitled
"Of the statutes,"
(MCL 8.1 to 8.8) by adding sections 9 and 9a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9. IN THE CONSTRUCTION OF THE STATUTES OF THIS STATE THE
2 FOLLOWING RULE SHALL BE OBSERVED, UNLESS THE CONSTRUCTION WOULD BE
3 INCONSISTENT WITH THE MANIFEST INTENT OF THE LEGISLATURE:

4 ANY LAW ENACTED AFTER JANUARY 1, 2015 THAT ESTABLISHES A
5 CRIMINAL OFFENSE AND DOES NOT INDICATE WHETHER A CULPABLE MENTAL
6 STATE IS, OR IS NOT, REQUIRED SHALL BE CONSTRUED TO REQUIRE A
7 CULPABLE MENTAL STATE AND THAT THE PERSON ACT PURPOSELY, KNOWINGLY,
8 OR RECKLESSLY.

9 SEC. 9A. IF A STATUTE DEFINING AN OFFENSE PRESCRIBES A
10 CULPABLE MENTAL STATE BUT DOES NOT SPECIFY THE ELEMENT TO WHICH IT

1 APPLIES, THE PRESCRIBED CULPABLE MENTAL STATE APPLIES TO EACH
2 MATERIAL ELEMENT OF THE OFFENSE THAT NECESSARILY REQUIRES A
3 CULPABLE MENTAL STATE.