

SENATE BILL NO. 841

April 24, 2024, Introduced by Senators KLINEFELT, SHINK, BAYER, WOJNO, GEISS, POLEHANKI and CHANG and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 160d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 160d. (1) An individual who engages in sexual contact
2 with a dead human body is guilty of a misdemeanor punishable by
3 imprisonment for not more than 2 years or a fine of not more than
4 \$500.00, or both.

5 (2) An individual who engages in sexual penetration with a
6 dead human body is guilty of a felony punishable by imprisonment

1 for not more than 15 years.

2 (3) A term of imprisonment imposed for a violation of this
3 section may run consecutively to any term of imprisonment imposed
4 for another violation arising from the same transaction.

5 (4) As used in this section:

6 (a) "Sexual contact" includes intentionally touching the
7 genital area, groin, inner thigh, buttock, or breast, or the
8 clothing covering that area, of a dead human body, or the actor
9 intentionally causing the dead human body to touch the actor's
10 genital area, groin, inner thigh, buttock, or breast, or the
11 clothing covering that area if the intentional touching can
12 reasonably be construed as being for the purpose of sexual arousal
13 or gratification, done for a sexual purpose, or in a sexual manner
14 for the following purposes:

15 (i) Revenge.

16 (ii) To inflict humiliation.

17 (iii) Out of anger.

18 (b) "Sexual penetration" means entry into the dead human
19 body's genital opening, anal opening, or mouth by the actor's
20 penis, finger, tongue, or other object, or the touching of the dead
21 human body's genital opening or organs by the actor's mouth or
22 tongue. Sexual penetration may also be entry by any part of the
23 actor's body or some object into the genital or anal opening of the
24 dead human body. Any entry, no matter how slight, is sexual
25 penetration. Sexual penetration occurs whether or not the sexual
26 act was completed or whether or not semen was ejaculated

27 Enacting section 1. This amendatory act takes effect 90 days
28 after the date it is enacted into law.