

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.71 Definitions.**

Sec. 71.

Unless the context requires otherwise, the following terms have the following meanings:

(a) "Building" includes any structure regardless of class or character and any building or structure that is within the curtilage of that building or structure or that is appurtenant to or connected to that building or structure.

(b) "Burn" means setting fire to, or doing any act that results in the starting of a fire, or aiding, counseling, inducing, persuading, or procuring another to do such an act.

(c) "Damage", in addition to its ordinary meaning, includes, but is not limited to, charring, melting, scorching, burning, or breaking.

(d) "Dwelling" includes, but is not limited to, any building, structure, vehicle, watercraft, or trailer adapted for human habitation that was actually lived in or reasonably could have been lived in at the time of the fire or explosion and any building or structure that is within the curtilage of that dwelling or that is appurtenant to or connected to that dwelling.

(e) "Individual" means any individual and includes, but is not limited to, a firefighter, law enforcement officer, or other emergency responder, whether paid or volunteer, performing his or her duties in relation to a violation of this chapter, or performing an investigation of a violation of this chapter.

(f) "Personal property" includes any personally owned property regardless of class, character, or value.

(g) "Physical injury" means an injury that includes, but is not limited to, the loss of a limb or use of a limb; loss of a foot, hand, finger, or thumb, or loss of use of a foot, hand, finger, or thumb; loss of an eye or ear or loss of use of an eye or ear; loss or substantial impairment of a bodily function; serious visible disfigurement; a comatose state that lasts for more than 3 days; measurable brain or mental impairment; a skull fracture or other serious bone fracture; subdural hemorrhage or subdural hematoma; loss of an organ; heart attack; heat stroke; heat exhaustion; smoke inhalation; a burn including a chemical burn; or poisoning.

(h) "Prior conviction" means a previous conviction for a violation of this chapter that arises out of a separate transaction, whether under this chapter, a local ordinance substantially corresponding to this chapter, a law of the United States substantially corresponding to this chapter, or a law of another state substantially corresponding to this chapter, but does not include a violation of section 79(1)(a).

**History:** 1931, Act 328, Eff. Sept. 18, 1931 ;-- CL 1948, 750.71 ;-- Am. 2012, Act 531, Eff. Apr. 3, 2013

**Former Law:** See section 1 of Act 38 of 1927, being CL 1929, Å§ 16933.