

# HOUSE BILL No. 5592

May 20, 2014, Introduced by Rep. Lyons and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 167 (MCL 750.167).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 167. (1) A person is a disorderly person if the person is  
2 any of the following:

3           (a) A person of sufficient ability who refuses or neglects to  
4 support his or her family.

5           (b) A common prostitute.

6           (c) A window peeper.

7           (d) A person who engages in an illegal occupation or business.

8           (e) A person who is intoxicated in a public place and who is

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1 either endangering directly the safety of another person or of  
2 property or is acting in a manner that causes a public disturbance.

3 (f) A person who is engaged in indecent or obscene conduct in  
4 a public place.

5 (g) A vagrant.

6 (h) A person found begging in a public place.

7 (i) A person found loitering in a house of ill fame or  
8 prostitution or place where prostitution or lewdness is practiced,  
9 encouraged, or allowed.

10 (j) A person who knowingly loiters in or about a place where  
11 an illegal occupation or business is being conducted.

12 (k) A person who loiters in or about a police station, police  
13 headquarters building, county jail, hospital, court building, or  
14 other public building or place for the purpose of soliciting  
15 employment of legal services or the services of sureties upon  
16 criminal recognizances.

17 (l) A person who is found jostling or roughly crowding people  
18 unnecessarily in a public place.

19 (2) ~~When~~ ~~IF~~ a person ~~,~~ who has been convicted of refusing or  
20 neglecting to support his or her family under this section ~~,~~ is  
21 ~~then~~ charged with subsequent violations within a period of 2 years,  
22 that person shall be prosecuted as a second offender ~~,~~ or third and  
23 subsequent offender ~~,~~ as provided in section 168, if the family of  
24 that person is then receiving public relief or support.

25 **[(3) A MOTHER'S BREASTFEEDING OF A CHILD OR EXPRESSING BREAST MILK**  
26 **DOES NOT CONSTITUTE INDECENT OR OBSCENE CONDUCT UNDER SUBSECTION (1)**  
27 **REGARDLESS OF WHETHER OR NOT HER AREOLA OR NIPPLE IS VISIBLE DURING OR**

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1 **INCIDENTAL TO THE BREASTFEEDING OR EXPRESSING OF BREAST MILK.]**

2           Enacting section 1. This amendatory act does not take effect  
3 unless Senate Bill No. 674 of the 97th Legislature is enacted into  
4 law.