

**SUBSTITUTE FOR
HOUSE BILL NO. 5103**

A bill to prohibit aggressive solicitation; and to provide for remedies and penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "aggressive solicitation prohibition act".

3 Sec. 3. As used in this act:

4 (a) "Public area" means an area that is owned by a
5 governmental entity and the public or a substantial group of
6 persons has access to and includes, but is not limited to, alleys,
7 bridges, buildings, driveways, parking lots, parks, playgrounds,
8 plazas, sidewalks and streets open to the general public, and
9 doorways and entrances to buildings and dwellings.

10 (b) "Solicit" means using any means of communication,
11 including, but not limited to, spoken or written word, to request a

1 donation or exchange of money or any other thing of value
2 regardless of the purpose or intended use of the money or other
3 thing of value.

4 Sec. 5. A person shall not solicit another person in a public
5 area by doing any of the following:

6 (a) Intentionally and knowingly, or recklessly, making
7 physical contact with or touching another person without that
8 person's consent.

9 (b) Approaching or following a person in a manner that is
10 intended to cause bodily harm.

11 (c) Continuing to solicit a person after the person being
12 solicited has communicated that he or she does not want to be
13 solicited.

14 (d) Intentionally and knowingly, or recklessly, obstructing
15 the safe or free passage of a person being solicited.

16 Sec. 7. A person who violates this act is responsible for a
17 state civil infraction and is subject to a fine of not more than
18 \$100.00.

19 Sec. 9. This act does not prohibit a person from being charged
20 with, convicted of, or punished for any other violation of law,
21 including a violation of law arising out of the same transaction as
22 the violation of this act.

23 Sec. 11. This act does not prohibit a county, city, township,
24 or village from adopting an ordinance or enforcing an existing
25 ordinance relating to aggressive solicitation.

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

1 Enacting section 2. This act does not take effect unless House
2 Bill No. 5104 of the 98th Legislature is enacted into law.