



# SENATE BILL No. 1006

February 3, 1994, Introduced by Senators HOFFMAN and  
DUNASKISS and referred to the Committee on Judiciary

A bill to amend section 520e of Act No 328 of the Public  
Acts of 1931, entitled as amended

"Michigan penal code,"

as amended by Act No 86 of the Public Acts of 1988, being sec-  
tion 750 520e of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 520e of Act No 328 of the Public Acts  
2 of 1931 as amended by Act No 86 of the Public Acts of 1988  
3 being section 750 520e of the Michigan Compiled Laws is amended  
4 to read as follows

5 Sec 520e (1) A person is guilty of criminal sexual con-  
6 duct in the fourth degree if he or she engages in sexual contact  
7 with another person and if any of the following circumstances  
8 ~~exists~~ EXIST

1 (a) Force or coercion is used to accomplish the sexual  
2 contact Force or coercion includes but is not limited to any of  
3 the circumstances listed in section 520b(1)(f)(i) to (iv)

4 (b) The actor knows or has reason to know that the victim is  
5 mentally incapable, mentally incapacitated, or physically  
6 helpless

7 (c) That other person is under the jurisdiction of the  
8 department of corrections, and the actor is an employee or a con-  
9 tractual employee of, or a volunteer with, the department of cor-  
10 rections who has knowledge that the other person is under the  
11 jurisdiction of the department of corrections

12 (D) THAT OTHER PERSON IS 13 YEARS OF AGE OR OLDER BUT LESS  
13 THAN 16 YEARS OF AGE

14 (2) Criminal sexual conduct in the fourth degree is a misde-  
15 meanor punishable by imprisonment for not more than 2 years —  
16 or ~~by~~ a fine of not more than \$500 00, or both