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## ACTIONS BY A.G. & PROSECUTORS AGAINST RIOTERS

House Bill 4725  
Sponsor: Rep. James Koetje  
Committee: Government Operations

Complete to 6-1-03

### A SUMMARY OF HOUSE BILL 4725 AS INTRODUCED 5-22-03

The bill would amend the Revised Judicature Act to authorize the attorney general or a county prosecutor to bring an action against a person alleged to have incited, promoted, advertised, financed, or subsidized a riot or unlawful assembly, or to have encouraged another person to riot or assemble unlawfully.

If a court found by a preponderance of the evidence that a person had committed one of the acts listed above, the court could:

- Order the person to pay damages resulting from the riot, including the cost to state and local governments of police and other emergency personnel, legal fees, court costs, and damage to property
- If a person (i.e., an entity) was exempt from federal or state tax because it operated for charitable or nonprofit purposes, order that the federal Internal Revenue Service or the Michigan Department of Treasury be notified of the court's findings.
- Issue any other order the court determined appropriate.

The terms "riot" and "unlawful assembly" as used in the bill would be imported from Public Act 302 of 1968. That act states:

- "It is unlawful and constitutes the crime of riot for five or more persons, acting in concert, to wrongfully engage in violent conduct and thereby intentionally or recklessly cause or create a serious risk of causing public terror or alarm."
- "It is unlawful and constitutes an unlawful assembly for a person to assemble or act in concert with four or more persons for the purpose of engaging in conduct constituting the crime of riot, or to be present at an assembly that either has or develops such a purpose and to remain thereat with intent to advance such a purpose."

MCL 600.2974

Analyst: C. Couch

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