

HOUSE BILL No. 4725

May 22, 2003, Introduced by Reps. Koetje, Brandenburg, Steil and Kooiman and referred to the Committee on Government Operations.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948) by adding section 2974.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2974. (1) The attorney general or the prosecuting
2 attorney of a county may bring an action against a person that
3 the attorney general or prosecuting attorney alleges incited,
4 promoted, advertised, financed, or subsidized a riot or unlawful
5 assembly or encouraged another person to riot or assemble
6 unlawfully.

7 (2) If a court finds by a preponderance of the evidence that
8 a defendant in an action brought under subsection (1) did 1 or
9 more of the acts as alleged by the attorney general or
10 prosecuting attorney and described in subsection (1), the court
11 may do 1 or more of the following:

1 (a) Order the person to pay damages resulting from the riot,
2 including, but not limited to, the cost to state and local
3 governments of police and other emergency personnel, legal fees,
4 court costs, and damage to property.

5 (b) Impose reasonable restrictions on the future activities
6 or investments of the person, including, but not limited to,
7 prohibiting the person from engaging in the same type of
8 activities or behavior found to have been an act described in
9 subsection (1).

10 (c) If the person is exempt from federal or state tax because
11 it operates for charitable or nonprofit purposes, order that the
12 internal revenue service or the state department of the treasury
13 be notified of the court's finding.

14 (d) Issue any other order or judgment that the court
15 determines is appropriate.

16 (3) As used in this section:

17 (a) "Riot" means conduct proscribed under section 1 of 1968
18 PA 302, MCL 752.541.

19 (b) "Unlawful assembly" and "assemble unlawfully" mean
20 conduct proscribed under section 3 of 1968 PA 302, MCL 752.543.