

HOUSE BILL No. 4755

May 3, 1989, Introduced by Rep. Honigman and referred to the Committee on Judiciary.

A bill to amend section 1 of Act No. 85 of the Public Acts of 1935, entitled

"An act to abrogate the common law rule raising a presumption that a married woman committing an offense does so under coercion because she commits it in the presence of her husband,"

being section 780.401 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1 of Act No. 85 of the Public Acts of
2 1935, being section 780.401 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 1. In the prosecution of any complaint or indictment
5 charging a criminal offense, ~~whether cognizable by a justice of~~
6 ~~the peace or otherwise,~~ no presumption shall be indulged that a
7 married woman committing an offense does so under coercion
8 because she commits it in the presence of her husband.