

SENATE BILL No. 96

February 2, 1989, Introduced by Senators NICHOLS, WELBORN, SEDERBURG, J. HART, GEO. HART, CARL, FREDRICKS, IRWIN and SCHWARZ and referred to the Committee on Judiciary.

A bill to amend section 324 of Act No. 328 of the Public Acts of 1931, entitled
"The Michigan penal code,"
being section 750.324 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 324 of Act No. 328 of the Public Acts of
2 1931, being section 750.324 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 324. (1) ~~Any~~ EXCEPT AS PROVIDED IN SUBSECTION (2),
5 A person who, by the operation of ~~any~~ A vehicle upon ~~any~~ A
6 highway or upon any other property, public or private, at an
7 immoderate rate of speed or in a careless, reckless, or negligent
8 manner, but not ~~wilfully~~ WILLFULLY or wantonly, ~~shall cause~~
9 CAUSES the death of another ~~shall be~~ PERSON, IS guilty of a
10 misdemeanor, punishable by imprisonment ~~in the state prison~~ FOR

1 not more than 2 years or by a fine of not more than \$2,000.00, or
2 ~~by both. ~~such fine and imprisonment.~~~~

3 (2) A PERSON WHO, BY THE OPERATION OF A VEHICLE UPON A HIGH-
4 WAY OR UPON ANY OTHER PROPERTY, PUBLIC OR PRIVATE, WHILE UNDER
5 THE INFLUENCE OF INTOXICATING LIQUOR OR A CONTROLLED SUBSTANCE OR
6 A COMBINATION OF INTOXICATING LIQUOR AND A CONTROLLED SUBSTANCE,
7 OR WITH A BLOOD ALCOHOL CONTENT OF 0.10% OR MORE BY WEIGHT OF
8 ALCOHOL, CAUSES THE DEATH OF ANOTHER PERSON, IS GUILTY OF A
9 FELONY, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 15 YEARS OR
10 BY A FINE OF NOT MORE THAN \$5,000.00, OR BOTH.