

SENATE BILL No. 653

October 31, 1989, Introduced by Senators CARL,
WELBORN, DINGELL and BARCIA and referred to the
Committee on Criminal Justice and Urban Affairs.

A bill to provide immunity from civil liability to courts
and certain other agencies and organizations and their employees,
officers, and directors with respect to the performance of commu-
nity service by offenders.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Agency" means a nonprofit organization, governmental
3 unit, or other public body that accepts community service from
4 offenders.

5 (b) "Community service" means uncompensated labor performed
6 by an offender for an agency for the purpose of enhancing the
7 physical, intellectual, or mental well-being, environmental qual-
8 ity or social welfare of the community.

9 (c) "Court" means any court of record of this state that has
10 the authority to order probation, and includes its probation

1 department and any other of its offices or instrumentalities that
2 are responsible for funding or supervising community service
3 work.

4 Sec. 2. (1) The court and any officer or employee of the
5 court shall not be liable for civil damages for injury or damage
6 resulting from or arising out of the assignment of an offender to
7 community service, the work performed as community service, or
8 the supervision of an offender during his or her community
9 service.

10 (2) The immunity from liability granted under this section
11 supplements, and is in addition to, the immunity from liability
12 granted to courts under Act No. 170 of the Public Acts of 1964,
13 being sections 691.1401 to 691.1415 of the Michigan Compiled
14 Laws.

15 Sec. 3. An agency, or any director, officer, or employee of
16 an agency, shall not be liable for civil damages for injury or
17 damage resulting from or arising out of the work performed as
18 community service, or the supervision of an offender during his
19 or her community service, except for injury or damage resulting
20 from actions or omissions of the agency, officer, or employee
21 that amounts to gross negligence or willful or wanton
22 misconduct.

23 Sec. 4. This act shall not take effect unless Senate Bill
24 No. 654 of the
25 85th Legislature is enacted into law.