

**SUBSTITUTE FOR
HOUSE BILL NO. 5511**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948) by adding section 2965.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2965. (1) IF A PERSON INTERFERES WITH THE PROSPECTIVE
2 ADVANTAGE ACCORDED AN INSTITUTION OF HIGHER EDUCATION BY VIRTUE
3 OF ITS RELATIONSHIP WITH AN INTERCOLLEGIATE ATHLETICS GOVERNING
4 ORGANIZATION BY PROMISING OR PROVIDING ANY IMPROPER GIFT OR SERV-
5 ICE TO A STUDENT ATHLETE, A PROSPECTIVE STUDENT ATHLETE, OR THE
6 IMMEDIATE FAMILY OF A STUDENT ATHLETE OR OF A PROSPECTIVE STUDENT
7 ATHLETE, AND IF THAT INTERFERENCE RESULTS IN AN INJURY TO THE
8 INSTITUTION OF HIGHER EDUCATION, THE PERSON WHO ENGAGED IN THE
9 INTERFERENCE IS LIABLE TO THE INSTITUTION OF HIGHER EDUCATION FOR
10 \$10,000.00 OR THE ACTUAL DAMAGES INCURRED, WHICHEVER IS HIGHER.
11 IN ADDITION, THE INSTITUTION OF HIGHER EDUCATION MAY RECOVER

HB5511, As Passed House, March 11, 1998

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1 ACTUAL ATTORNEY FEES AND ACTUAL COSTS INCURRED IN BRINGING THE
2 ACTION.

3 (2) AS USED IN THIS SECTION:

4 (A) "IMMEDIATE FAMILY" MEANS THAT TERM AS DEFINED IN
5 SECTION 411E OF THE MICHIGAN PENAL CODE, 1931 PA 328,
6 MCL 750.411E.

7 (B) "IMPROPER GIFT OR SERVICE" MEANS ANY GIFT OR SERVICE
8 THAT A STUDENT ATHLETE IS PROHIBITED FROM ACCEPTING ACCORDING TO
9 THE RULES OF THE INSTITUTION OF HIGHER EDUCATION.

10 (C) "INSTITUTION OF HIGHER EDUCATION" MEANS A PUBLIC UNIVER-
11 SITY, COLLEGE, OR COMMUNITY COLLEGE LOCATED IN THIS STATE.

12 (D) "PROSPECTIVE STUDENT ATHLETE" MEANS AN INDIVIDUAL WHO IS
13 BEING RECRUITED TO BE A STUDENT ATHLETE AT AN INSTITUTION OF
14 HIGHER EDUCATION.

15 (E) "STUDENT ATHLETE" MEANS THAT TERM AS DEFINED IN
16 SECTION 411E OF THE MICHIGAN PENAL CODE, 1931 PA 328,
17 MCL 750.411E.