

HOUSE BILL No. 5593

February 7, 2002, Introduced by Reps. Shulman, Woodward, Anderson, Gielegem, Gosselin, Drolet, Bradstreet, Kolb, Jacobs, Quarles, Rison, Stewart and Raczkowski and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948) by adding section 2973.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2973. AN INDIVIDUAL IS ENTITLED TO RECOVER TREBLE DAM-
2 AGES, COSTS OF THE ACTION, AND REASONABLE ATTORNEY FEES, OR THE
3 SUM OF \$5,000.00, WHICHEVER IS GREATER, IF BOTH OF THE FOLLOWING
4 CONDITIONS ARE MET:

5 (A) THE INDIVIDUAL IS A DEFENDANT IN A CIVIL ACTION BASED ON
6 THAT INDIVIDUAL'S COMMUNICATION WITH A GOVERNMENTAL UNIT, A
7 PUBLIC OFFICIAL, OR OTHER PERSON IN FURTHERANCE OF THAT
8 INDIVIDUAL'S CONSTITUTIONAL RIGHT TO PETITION, INCLUDING SEEKING
9 RELIEF, INFLUENCING ACTION, INFORMING, OR OTHERWISE PARTICIPATING
10 IN THE PROCESS OF GOVERNMENT, AND SUCH COMMUNICATION WAS AIMED AT
11 PROCURING GOVERNMENTAL OR ELECTORAL ACTION, RESULT, OR OUTCOME.

1 (B) THE COURT FINDS BY A PREPONDERANCE OF THE EVIDENCE THAT
2 THE CIVIL ACTION WAS INITIATED WITH THE PRIMARY PURPOSE OF
3 HARASSING OR INTIMIDATING THE INDIVIDUAL OR OTHERWISE HINDERING
4 THAT INDIVIDUAL'S PARTICIPATION IN THE PROCESS OF GOVERNMENT.

5 Enacting section 1. This amendatory act does not take
6 effect unless all of the following bills of the 91st Legislature
7 are enacted into law:

8 (a) Senate Bill No. _____ or House Bill No. 5597 (request
9 no. 03277'01 *).

10 (b) Senate Bill No. _____ or House Bill No. 5594 (request
11 no. 03279'01 *).