HOUSE BILL NO. 5684

March 05, 2026, Introduced by Reps. Green, Edwards and Roth and referred to Committee on Judiciary.

A bill to amend 1931 PA 328, entitled

"The Michigan penal code,"

(MCL 750.1 to 750.568) by adding section 81f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 81f. (1) An individual who does any of the following and who does so because of an individual's status as a department of health and human services designated caregiver is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00, or both:

(a) Communicates to any individual a threat that the individual will physically harm an individual who is a department of health and human services designated caregiver.

(b) Intimidates an individual who is a department of health and human services designated caregiver.

(c) Harasses an individual who is a department of health and human services designated caregiver.

(2) Except as provided in subsection (3), an individual who assaults or assaults and batters an individual while the individual is performing the individual's duties as a department of health and human services designated caregiver, or because of the individual's status as a department of health and human services designated caregiver, and causes the individual any physical injury is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than $1,000.00, or both.

(3) An individual who violates subsection (2) and causes the individual serious impairment of a body function is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not less than $1,000.00 or more than $5,000.00, or both.

(4) A conviction or sentence imposed for a violation of this section does not preclude a conviction or sentence for a violation of any other applicable law.

(5) As used in this section:

(a) "Department of health and human services designated caregiver" includes all of the following individuals, whether or not the individual receives financial compensation for care rendered:

(*i*) A foster parent.

(*ii*) A kinship caregiver.

(*iii*) Fictive kin.

(*iv*) An adoptive parent of a child formerly in foster care.

(b) "Harass" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harass does not include constitutionally protected activity or conduct that serves a legitimate purpose.

(c) "Intimidate" means a willful course of conduct involving harassment of another individual that is intended to cause the individual to fear physical injury, that would cause a reasonable individual to fear physical injury, and that actually causes the individual to fear physical injury. Intimidate does not include constitutionally protected activity or conduct that serves a legitimate purpose.

(d) "Serious impairment of a body function" means that phrase as defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. ____ (request no. S02128'25) or House Bill No. 5685 (request no. H02128'25) of the 103rd Legislature is enacted into law.