



Senate Fiscal Agency
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Senate Bill 56 (as reported without amendment)
Sponsor: Senator Stephanie Chang
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend the Michigan Penal Code to delete a provision that prohibits a man and woman, who are not married to each other, from lewdly and lasciviously associating and cohabitating together. The bill would retain a provision that prohibits any individual, married or unmarried, from engaging in open and gross lewdness and lascivious behavior.

Each offense is a misdemeanor punishable by up to one year's imprisonment and/or a maximum fine of \$1,000. A prosecution of either offense may not be commenced after one year from the time of the violation.

MCL 750.335

BRIEF RATIONALE

For tax filing purposes, a dependent is an individual who relies on another individual for financial support. According to testimony, Federal law prevents an individual filing taxes from claiming someone as a dependent if the relationship violates State law. Even though two unmarried individuals living together could meet dependency requirements, Michigan's law prohibiting an unmarried man and woman from living together legally prevents them from doing so. Accordingly, it has been suggested that the prohibition be deleted for tax filing purposes.

PREVIOUS LEGISLATION

(Please note: The information in this summary provides a cursory overview of previous legislation and its progress. It does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)

The bill is a reintroduction; the same or similar versions of the current bill have been introduced in nearly every session since the 2015-2016 Legislation Session. In that session, Senate Bill 896 was reported out of the Senate Committee on Judiciary, but it received no further action.

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

The bill likely would have no fiscal impact on State or local government. A decrease in misdemeanor arrests and convictions could lead to decreased demands on local court systems, law enforcement, and jails, as well as decreased fine revenue dedicated to public libraries; however, the last time a person was charged under this section of the Code is not known.

Date Completed: 4-10-23

Fiscal Analyst: Joe Carrasco, Jr.