



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 903 (Substitute S-2 as reported)  
Sponsor: Senator Rick Jones  
Committee: Judiciary

**CONTENT**

The bill would enact the "Postsecondary Student Protection Act" to do the following:

- Require an individual at least 18 years old who was employed professionally at a postsecondary educational institution or was paid to conduct postsecondary interscholastic athletic activities, to inform a student of resources and services for sexual assault victims if the student notified the individual that the student may have been the victim of sexual assault.
- Require a postsecondary institution to make reasonable efforts to give notice of this requirement to providers of volunteer services at the institution, and encourage them to perform the same duty.
- Prohibit an individual at least 18 years old who was employed professionally at a postsecondary educational institution or was paid to conduct postsecondary interscholastic athletic activities, who had direct knowledge that a student likely had been the victim of sexual assault, from attempting to discourage the student from reporting the incident to any appropriate authority.
- Provide that an individual who violated that prohibition would be guilty of a misdemeanor punishable by imprisonment for up to one year or a maximum fine of \$1,000, or both.

The bill would define "student" as an individual who is 18 years of age or older and who is enrolled in an educational program at a postsecondary educational institution or is a participant in a postsecondary interscholastic athletic activity.

"Sexual assault" would mean an act, attempted act, or conspiracy to engage in an act of criminal conduct as defined in Section 520b, 520c, 520d, 520e, or 520g of the Michigan Penal Code (i.e., criminal sexual conduct (CSC) in the first, second, third, or fourth degree, or assault with intent to commit CSC involving sexual penetration or second-degree CSC).

Legislative Analyst: Jeff Mann

**FISCAL IMPACT**

The bill would have no fiscal impact on the State and could have a negative fiscal impact on local government. Increased misdemeanor arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, and jails. Any associated increase in fine revenue would increase funding to public libraries.

Date Completed: 4-26-18

Fiscal Analyst: Ryan Bergan