



**Senate Fiscal Agency**  
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**BILL ANALYSIS**

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House Bill 5982 (as passed by the House)  
Sponsor: Representative Sara Cambensy  
House Committee: Law and Justice  
Senate Committee: Judiciary

Date Completed: 5-31-18

**CONTENT**

The bill would amend the Michigan Penal Code to make it a misdemeanor for a person to intentionally use his or her professional position of authority over another person to prevent or attempt to prevent that person from reporting an alleged child abuse crime or a criminal sexual conduct (CSC) offense to a Title IX coordinator at a postsecondary educational institution.

A criminal sexual conduct offense would be CSC in the first, second, third, or fourth degree, or assault with intent to commit second-degree CSC or CSC involving sexual penetration.

The misdemeanor would be punishable by imprisonment for up to one year or a maximum fine of \$1,000, or both.

"Postsecondary educational institution" would mean a degree- or certificate-granting public or private college or university, junior college, or community college located in Michigan.

(Title IX is a Federal law that prohibits discrimination based on sex in educational programs or activities that receive Federal financial assistance.)

The bill would take effect 90 days after being enacted.

Proposed MCL 750.478b

Legislative Analyst: Suzanne Lowe

**FISCAL IMPACT**

The bill would have no fiscal impact on the State and a negative impact on local government. More 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.

Fiscal Analyst: Ryan Bergan

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