



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

BILL ANALYSIS



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

House Bill 4124 (as passed by the House)
Sponsor: Representative Carol Glanville
House Committee: Judiciary
Senate Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 6-7-23

CONTENT

The bill would amend the Michigan Penal Code to prohibit a person from intentionally using his or her professional position of authority over another person to prevent or attempt to prevent that person from reporting certain crimes.

Specifically, a person who intentionally used his or her professional position of authority over another person to prevent or attempt to prevent that person from reporting a violation of Section 136b, Sections 520b to 520e, or Section 520g (those sections prescribe the offenses of child abuse, criminal sexual conduct (CSC) in the first-, second-, third-, and fourth-degree, and assault with intent to commit second-degree CSC or CSC involving sexual penetration, respectively) to a Title IX coordinator at a postsecondary educational institution would be guilty of a misdemeanor 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. (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 its enactment.

Proposed MCL 750.478b

PREVIOUS LEGISLATION

(Please note: This section does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)

The bill is a reintroduction of House Bill 4383 from the 2019-2020 Legislative Session. House Bill 4383 passed the House and was reported by the Senate Committee on Judiciary and Public Safety but received no further action.

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

The bill could have a negative fiscal impact on local units of government if more misdemeanor convictions resulted from the bill's proposed changes. Misdemeanor convictions could increase county jail and local probation supervision costs, which vary by jurisdiction and are thus indeterminate. The court also could levy a fine of up to \$1,000. Any associated fine revenue would increase funding to public libraries.

Fiscal Analyst: Joe Carrasco, Jr.

SAS\S2324\s4124sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.