

**SUBSTITUTE FOR
HOUSE BILL NO. 5889**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2157c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 2157c. (1) The following are not admissible as evidence**
2 **in a civil or criminal proceeding without the prior written consent**
3 **of the victim of human trafficking:**

4 **(a) A confidential communication.**

5 **(b) Any of the following if given or made in connection with a**
6 **consultation between a victim of human trafficking and a human**
7 **trafficking victim counselor:**

8 **(i) A report.**

9 **(ii) A working paper.**



1 (iii) A statement contained in a report or working paper.

2 (2) The confidentiality provided under subsection (1) is not
3 waived by the presence of another individual that is necessary to
4 effectuate the communication.

5 (3) As used in this section:

6 (a) "Confidential communication" means information transmitted
7 in connection with the rendering of crisis intervention, advice,
8 counseling, or other assistance that is 1 of the following:

9 (i) Between a victim of human trafficking and a human
10 trafficking victim counselor.

11 (ii) Between a victim of human trafficking or a human
12 trafficking victim counselor and any other individual to whom
13 disclosure is reasonably necessary to further the interests of the
14 victim.

15 (b) "Human trafficking victim counselor" means an individual
16 who is employed by or who volunteers services for a human
17 trafficking victim support agency, and who in that capacity
18 provides advice, supportive services, crisis intervention,
19 advocacy, or other assistance to victims of human trafficking.

20 (c) "Human trafficking victim support agency" means an office,
21 refuge, shelter, safe house, institution, agency, center, or other
22 entity that offers assistance to victims of human trafficking and
23 their families through crisis intervention, shelter, advocacy,
24 legal, supportive counseling, or similar service.

25 (d) "Victim of human trafficking" means an individual who was
26 or who alleges to have been the subject of human trafficking as
27 described in chapter LXVII or LXVIIIA of the Michigan penal code,
28 1931 PA 328, MCL 750.448 to 750.462 and 750.462a to 750.462h.

