



**House
Legislative
Analysis
Section**

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**RESTITUTION FOR CRIME: ADD
DOMESTIC VIOLENCE SHELTERS**

House Bill 4509

Sponsor: Rep. Eric Bush

House Bill 4510

Sponsor: Rep. James Ryan

House Bill 4608

Sponsor: Rep. Roland Jersevic

Committee: Judiciary and Civil Rights

Complete to 4-4-95

**A SUMMARY OF HOUSE BILLS 4509 AND 4510 AS INTRODUCED 3-2-95 AND
HOUSE BILL 4608 AS INTRODUCED 3-16-95**

In 1993, the legislature enacted a package of laws (Public Acts 341 through 348) to broaden and strengthen laws affecting crime victims. Among other things, the laws mandated restitution for crime victims (restitution orders had been allowed, but not required prior to this legislation) and extended restitution to include not only individuals and businesses but associations and governmental entities. The bills would amend three laws to allow payment of restitution directly to shelter programs for victims of domestic violence (and their dependent children).

More specifically, under the Crime Victims' Rights Act, the Code of Criminal Procedure, and the juvenile code, if a crime victim or his or her family consents, an order of restitution may require that the defendant make restitution in the form of services (in lieu of money) or make restitution to someone (a "person") designated by the victim or his or her estate if that person had provided services to the victim as the result of the crime. The acts also specify who may enforce an order of restitution to a victim or victim's estate in the same manner as a judgment in a civil action, namely, the prosecuting attorney or the victim or the victim's estate named in the order to receive the restitution.

The bills would amend each of these acts to allow a shelter program for victims of domestic violence (or a similar community service program) to be one of the "persons" designated by the victim (or his or her estate) to receive restitution for services provided to the victim, and to be one of the persons who may enforce an order of restitution.

House Bill 4509 would amend the Crime Victim's Rights Act (MCL 780.766 et al.); House Bill 4510 would amend the Code of Criminal Procedure (MCL 769.1a); and House Bill 4608 would amend the juvenile code (MCL 712A.30).

House Bills 4509, 4510 and 4608 (4-4-95)