



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4362 (as reported without amendment)
Sponsor: Representative Thomas C. Mathieu
House Committee: Health Policy
Senate Committee: Health Policy and Senior Citizens

CONTENT

The bill would amend the Public Health Code to include child molesters under the Code's current information, counseling, and testing requirements that are imposed on persons who commit certain sex and/or intravenous drug use crimes. The bill would take effect January 1, 1996.

Currently, as a condition of release pending trial, the court must order a person arrested for and charged with gross indecency, solicitation, prostitution, pandering, various degrees of criminal sexual conduct, or illegal intravenous drug use to receive information and counseling regarding venereal disease (VD), hepatitis B (HbV), human immunodeficiency virus (HIV), and acquired immunodeficiency syndrome (AIDS). The court must order a person to be examined or tested for VD, HbV, and HIV and to receive counseling, if the person is bound over to circuit court for any of the crimes listed above and there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant, or if the person is convicted of any of those offenses. The bill provides that the information, counseling, and testing requirements also would apply to anyone arrested for and charged with, bound over to circuit court for, or convicted of a violation of Section 145a of the Michigan Penal Code, which makes it a misdemeanor to accost, entice, or solicit a child under age 16 with intent to induce or force the child to commit an immoral act or submit to sexual intercourse, gross indecency, or any other act of depravity or delinquency.

MCL 333.5129

Legislative Analyst: G. Towne

FISCAL IMPACT

The bill would result in an indeterminate increase in State and local health department expenditures for HIV and venereal disease testing, counseling, and partner notification activities. Data on the numbers of individuals, statewide, who are arrested or bound over for, or convicted of child molesting are not available. Therefore, it is not possible to provide a total cost estimate for the bill. The HIV, VD, and HbV screening costs, counseling exam, and handling cost per individual would be approximately \$70. The cost of contact notification of an individual who tested positive would be \$250. These individual cost estimates do not include administrative, travel, or pre- and post-test counseling costs for persons who are negative on the initial screening.

Date Completed: 11-6-95

Fiscal Analyst: P. Graham

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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.