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BILL



ANALYSIS

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House Bills 5749 (as reported by the Committee of the Whole)

Sponsor: Representative Jon Jellema

House Committee: Commerce

Senate Committee: Technology and Energy

### **CONTENT**

The bill would amend the Revised Judicature Act to include in the Act's criminal forfeiture provisions the violations outlined in House Bills 5748, 5750, 5751, and 5752.

House Bill 5749 also provides that, if a computer or computer information storage device were seized for a violation of Public Act 53 of 1979 (which would be amended by House Bill 5748), the seizing agency immediately would have to make a copy of all information contained in the computer or computer information storage device under the supervision of the court and in a manner approved by the court having jurisdiction and provide that copy to the court. The court would have to retain the copy as a confidential record. The copy could be used only to verify the integrity of the information contained in the computer or computer storage device that was seized. Upon conclusion of the proceedings, the court would have to order the copy destroyed.

(House Bill 5748 would expand the prohibition against unauthorized access to a computer or computer program. House Bill 5750 would make it a crime for an employee, officer, or agent of a telecommunications service provider to use or divert telecommunications services without authority. House Bill 5751 would prohibit the manufacture, delivery, or possession of a telecommunications device used to obtain telecommunications service without charge. House Bill 5752 would set penalties for obtaining a telecommunications service without charge through fraud or the use of a telecommunications device.)

MCL 600.4701 et al.

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bill could generate new revenue for the State or local units of government, depending on the law enforcement agencies involved in the forfeiture proceedings.

Date Completed: 5-29-96

Fiscal Analyst: M. Bain

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