

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4715 (as reported without amendment)
Sponsor: Representative Laura Baird
House Committee: Criminal Law and Corrections
Senate Committee: Judiciary

CONTENT

The bill would amend the domestic violence prevention and treatment Act to redefine “domestic violence”, and define certain other terms pertaining to the revised definition.

Currently, “domestic violence” means a violent physical attack or fear of violent physical attack perpetrated by an assailant against a victim; in which the victim is a person assaulted by or threatened by assault by his or her spouse or former spouse or an adult person or emancipated minor assaulted by an adult person of the opposite sex with whom the victim cohabitates or formerly cohabitated; and in which the victim and assailant are or were involved in a consenting, sexual relationship.

Under the bill, “domestic violence” instead would mean the occurrence of any of the following acts that was not an act of self-defense: causing or attempting to cause physical or mental harm to a family or household member; placing a family or household member in fear of physical or mental harm; causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress; or engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

“Family or household member” would include a spouse or former spouse; an individual with whom the person currently or formerly had resided; an individual with whom the person currently or formerly had a dating relationship; an individual with whom the person currently or formerly was engaged in a sexual relationship; an individual to whom the person was related or had formerly been related by marriage; an individual with whom the person had a child in common; and the minor child of an individual described above. “Dating relationship” would mean frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship would not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.

MCL 400.1501

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate impact on State government. The revision of the domestic violence definition to include “mental harm” could contribute to an increase in the number of cases investigated under the expanded definition. The number of additional cases cannot be estimated at this time. However, the Domestic Violence Prevention and Treatment Board awards to agencies in the State contracts that are funded approximately 88% with federal funds, and are not based on the number of people served. The funds are awarded to service agencies based on types of services provided. Therefore, changes would not affect the distribution of Federal revenue or State funds.

Date Completed: 12-6-99

Fiscal Analyst: C. Cole

[floor/hb4715](#)

Analysis available @ <http://www.michiganlegislature.org>

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