

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 725 (as introduced 10-17-01)
Sponsor: Senator Ken Sikkema
Committee: Judiciary

Date Completed: 10-30-01

CONTENT

The bill would amend the Revised Judicature Act to provide that, when a court considered a motion to seal court records in a civil or criminal matter involving an allegation of domestic violence, the court would have to consider the safety of any alleged victim or potential victim of the domestic violence in determining whether good cause had been shown for sealing the records.

"Domestic violence" would be defined as in the domestic violence prevention and treatment Act. Under that Act, domestic violence means the occurrence of any of the following acts by a person that is 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.
- Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

Proposed MCL 600.2972

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: B. Bowerman

S0102\sb725sa

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.