Senate Fiscal Agency
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SFA BILL ANALYSIS

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House Bill 5299 (Substitute S-2 as reported)
House Bill 5300 (Substitute S-2 as reported)
Sponsor: Representative Douglas Bovin (House Bill 5299)
Representative Ruth Johnson (House Bill 5300)
House Committee: Criminal Justice
Senate Committee: Judiciary

CONTENT

The bills would amend the Revised Judicature Act to provide for the out-of-state enforcement of a personal protection order (PPO) prohibiting domestic violence or stalking. Currently, a PPO is effective and immediately enforceable when signed by a judge. Under the bills, a PPO would be effective and enforceable in Michigan when signed and, upon service, a PPO could be enforced by another state, an Indian tribe, or a U.S. territory. A PPO would have to indicate that violation in a jurisdiction other than Michigan would subject the person to enforcement procedures and penalties of that jurisdiction. The bills also would prohibit the issuance of a domestic violence or stalking PPO if the respondent were a minor child under 10 years old.

In addition, House Bill 5300 (S-2) would require a court to indicate its specific reasons for issuing or refusing to issue a stalking PPO. Currently, a court must state its specific reasons for refusing to grant a stalking PPO.

The bills would take effect on April 1, 2002, and are tie-barred to each other as well as Senate Bills 729, 753, 754, 757, and 758 and House Bills 5275, 5303, and 5304.

MCL 600.2950 (H.B. 5299)
600.2950a (H.B. 5300)

Legislative Analyst: P. Affholter

FISCAL IMPACT

Courts. The State Court Administrative Office reports that there were 49,932 personal protection order cases filed in 2000. Potential enforcement costs resulting from the bills are indeterminate, and would depend on the additional case filings to enforce foreign protection orders.

Jails. To the extent that they could increase the number of people held in local facilities for contempt of court for violating a PPO, the bills could have an increased fiscal impact on local units. The cost of incarceration in a local facility varies between $27 and $62 per day.

Family Independence Agency. It appears that the bills would have an indeterminate fiscal impact on the State and on local units of government. Expanding the types of applicable protection orders could increase the number of cases served by State-contracted or locally contracted detention service providers.

Date Completed: 12-11-01

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