



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 6455 (as reported without amendment)
Sponsor: Representative William Van Regenmorter
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the Crime Victim's Rights Act to do all of the following:

- Extend victim notification requirements, and information-sharing provisions, to cases involving delayed or deferred judgment or assignment to youthful trainee status.
- Allow a court, the Department of Corrections (DOC), the Department of Human Services (DHS), a county sheriff, or a prosecuting attorney to furnish to the victim information or records that otherwise would be closed to public inspection, including information or records regarding proceedings and disposition in a case in which the defendant was granted youthful trainee status under the Holmes Youthful Trainee Act.
- Require that a form for a victim's request to be kept informed of an offender's status be given to the victim when a defendant was sentenced to probation, as well as to prison, jail, hospitalization, or a juvenile facility, and require the form to include the court's address.
- Require a payment to be applied first to victim payments, if the person making the payment indicated that it was to be applied to victim payments, or if the payment were received as a result of a wage assignment or from the DOC, sheriff, DHS, or county juvenile agency from deductions of money a prisoner or juvenile offender received in an amount over \$50 per month.
- Allow, rather than require, a sheriff or juvenile facility to deduct funds for restitution from money received by an offender in an amount over \$50 per month.
- Allow a sheriff to deduct 5% of the amount over \$50 received by a defendant or juvenile offender, to be retained by the sheriff as an administrative fee, if the sheriff deducted amounts for restitution from money received by an offender.

The bill would take effect on January 1, 2007.

MCL 780.763 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on local sheriff departments, which would be authorized to deduct 5% of the amount over \$50 received by a defendant to help offset administrative costs related to the Act. It is not known at this time the amount that would be subject to the 5% charge or how many departments would elect to levy it.

The Department of Human Services would incur some additional administrative costs for notification services. The county agencies would incur some additional administrative costs as a result of transferring funds for restitution collected from defendants.

Date Completed: 12-4-06

Fiscal Analyst: Bruce Baker, Joe Carrasco, Constance Cole,
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Analysis available @ <http://www.michiganlegislature.org>

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.