

Act No. 364
Public Acts of 2010
Approved by the Governor
December 22, 2010
Filed with the Secretary of State
December 22, 2010
EFFECTIVE DATE: April 1, 2011

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Reps. Gonzales, LeBlanc, Spade, Barnett, Terry Brown, Jackson, Nathan, Neumann, Liss, Robert Jones, Womack, Kennedy, Bauer, Miller, Lisa Brown, Constan, Hammel, Polidori, Warren, Durhal, Smith and Meadows

ENROLLED HOUSE BILL No. 5579

AN ACT to amend 1985 PA 87, entitled "An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers' agents toward victims; and to provide for penalties and remedies," (MCL 780.751 to 780.834) by adding section 16b.

The People of the State of Michigan enact:

Sec. 16b. When sentencing a defendant convicted of an offense described in chapter LXVIIA of the Michigan penal code, 1931 PA 328, MCL 750.462a to 750.462i, the court shall order restitution for the full amount of loss suffered by the victim. In addition to restitution ordered under section 16, the court may order the defendant to pay all of the following:

(a) Lost income, calculated by whichever of the following methods results in the largest amount:

(i) The gross amount received by the defendant from or the value to the defendant of the victim's labor or services.

(ii) The value of the victim's labor or services as calculated under the minimum wage law of 1964, 1964 PA 154, MCL 408.381 to 408.398, or the federal minimum wage, whichever results in the largest value.

(iii) Income loss as determined under section 16(4)(c).

(b) The cost of transportation, temporary housing, and child care expenses incurred by the victim because of the offense.

(c) Attorney fees and other costs and expenses incurred by the victim because of the offense, including, but not limited to, costs and expenses relating to assisting the investigation of the offense and for attendance at related court proceedings as follows:

(i) Wages lost.

(ii) Child care.

(iii) Transportation.

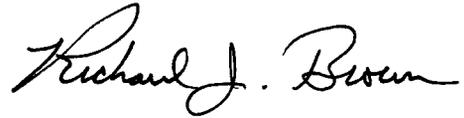
(iv) Parking.

(d) Any other loss suffered by the victim as a proximate result of the offense.

Enacting section 1. This amendatory act takes effect April 1, 2011.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

- (a) House Bill No. 5575.
- (b) House Bill No. 5576.
- (c) House Bill No. 5577.
- (d) House Bill No. 5578.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: The bills referred to in enacting section 2 were enacted into law as follows:

House Bill No. 5575 was filed with the Secretary of State December 22, 2010, and became 2010 PA 360, Eff. Apr. 1, 2011.

House Bill No. 5576 was filed with the Secretary of State December 22, 2010, and became 2010 PA 361, Eff. Apr. 1, 2011.

House Bill No. 5577 was filed with the Secretary of State December 22, 2010, and became 2010 PA 362, Eff. Apr. 1, 2011.

House Bill No. 5578 was filed with the Secretary of State December 22, 2010, and became 2010 PA 363, Eff. Apr. 1, 2011.