

# Legislative Analysis

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## **MIP: REQUIRE ABSTRACT TO SOS FOR JUVENILE VIOLATIONS**

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4756 as introduced**  
**Sponsor: Rep. Peter J. Lucido**  
**Committee: Judiciary**  
**Complete to 9-25-17**

Analysis available at  
<http://www.legislature.mi.gov>

### **SUMMARY:**

When a person is convicted or found responsible for a civil infraction for certain violations of the Michigan Vehicle Code, a judge or clerk of a court of record is required to prepare and forward to the secretary of state (SOS) an abstract of the court record. An abstract includes such things as the person's name, address, date of birth, driver license number, nature of the violation, date of conviction or finding, and any license sanction (e.g. restriction, suspension, or denial) that had been ordered by the court.

An abstract of the court record must also be forwarded to the SOS upon a conviction involving certain violations of various acts, including a violation of Sections 701(1) and 703 of the Michigan Liquor Control Code. Section 701(1) prohibits the sale or furnishing of alcohol to a minor and Section 703 prohibits a minor from consuming, purchasing, or consuming alcohol, or attempting to do the same, and from having any bodily alcohol content. However, a minor who is adjudicated in juvenile court is determined to be "found responsible" for the violation rather than being found guilty and would "admit responsibility" rather than plead guilty to a charge.

House Bill 4756 would amend the Michigan Vehicle Code to require an abstract to also be forwarded to the SOS for a finding or admission of responsibility for a violation of Sections 701(1) and 703 of the Liquor Control Code. Thus, the SOS would receive an abstract for a violation of those provisions by a minor who had been adjudicated in juvenile court.

The bill would also make changes of a technical nature, such as deleting references to statutory provisions that have since been repealed.

MCL 257.732

### **FISCAL IMPACT:**

House Bill 4756 would have an indeterminate fiscal impact on local court systems. The fiscal impact would depend on how provisions of the bill affected court caseloads and related administrative costs.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.