

Legislative Analysis



DOMESTIC AND SEXUAL VIOLENCE PREVENTION AND TREATMENT BOARD: CODIFY 2012 EXECUTIVE ORDER

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House Bill 5278 (H-1) as reported from committee

Sponsor: Rep. Sheldon A. Neely

Committee: Law and Justice

Complete to 3-13-18

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

(Enacted as Public Act 281 of 2018)

SUMMARY:

House Bill 5278 would codify provisions of a 2012 executive order that replaced the Domestic Violence Prevention and Treatment Board with the Domestic and Sexual Violence Prevention and Treatment Board. The bill would also codify a provision added by the executive order tasking the Board with administering grants awarded under certain federal acts.

Public Act 389 of 1978 created the Domestic Violence Prevention and Treatment Board (DVPTB) within the then Family Independence Agency (now the Department of Health and Human Services) and gave the Board duties that included coordinating and monitoring programs and services funded under the act for the prevention of domestic violence and the treatment of victims of domestic violence. Executive Order No. 2012-17 essentially replaced the DVPTB by creating the Domestic and Sexual Violence Prevention and Treatment Board, incorporated most of the language of Public Act 389, and added a provision that charged the Board with administering grants awarded under the federal Violence Against Women Act (VAWA) or the Family Violence Prevention and Services Act and other governmental or nongovernmental grants.

House Bill 5278 would amend Public Act 389 of 1978 to codify the provisions of Executive Order 2012-17. References to the DVPTB would be changed to refer instead to the Domestic and Sexual Violence Prevention and Treatment Board, other references to domestic violence would be revised to include sexual violence, statutory language would be updated and obsolete passages deleted, and the act's title would be amended to reflect the changes made to the current statute by the bill. Further, the bill would codify a provision of the executive order that tasks the Board with administering grants from the federal government or a federal agency and other funds as provided by law or designated by the Michigan Department of Health and Human Services.

The bill would take effect 90 days after its enactment.

MCL 400.1501 et al.

FISCAL IMPACT:

The bill would have no fiscal impact on the state of Michigan or local units of government.

BRIEF DISCUSSION:

The bill essentially codifies a 2012 executive order that included a reference to sexual violence in the name of the then Domestic Violence Prevention and Treatment Board. Since then, other statutes have been enacted that reference the Domestic and Sexual Violence Prevention and Treatment Board, yet the Board's enabling legislation continues to have the older, outdated name. The committee substitute includes an amendment supported by the Board that, similarly to a provision within the executive order, tasks the Board with administering federal grants and other funds as provided by law or designated by the Michigan Department of Health and Human Services (MDHHS). The Board does not award the grants (those are awarded by the MDHHS), but does oversee and monitor the agencies receiving the grants as well as advise the governor on domestic violence and sexual assault matters.

POSITIONS:

A representative of the Michigan Domestic and Sexual Violence Prevention and Treatment Board testified in support of the bill. (2-27-18)

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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.