



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 873 (as reported without amendment)  
Sponsor: Senator Margaret E. O'Brien  
Committee: Judiciary

### **CONTENT**

The bill would amend the Child Protection Law to extend reporting requirements to individuals employed in a professional capacity at a postsecondary educational institution and individuals who were paid or who volunteered to conduct K-12 or postsecondary interscholastic athletic activities or youth recreational athletic activities, including a coach, an assistant coach, or an athletic trainer.

The Law requires individuals in various professions or occupations to report to the Department of Health and Human Services (DHHS) if they have reasonable cause to suspect child abuse or child neglect. The bill would add the individuals described above.

The bill would define "K-12 or postsecondary interscholastic athletic activity" as a K-12 or postsecondary school program or event, including practice and competition, during which youth athletes participate or practice to participate in an organized athletic game or competition against another K-12 or postsecondary school, team, club, entity, or individual.

"Youth recreational athletic activity" would mean a program or event, including practice and competition, not associated with a school, during which youth athletes participate or practice to participate in an organized athletic game or competition against another team, club, entity, or individual. The term would include, but not be limited to, athletic activity sponsored by a recreation center, community center, or private sports club.

MCL 722.238

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill could increase costs to the Child Protective Services (CPS) unit within the DHHS associated with investigating reports of suspected abuse or neglect under made by the people required to report under the bill. There could be an uncertain increase in costs to local government if suspected abuse or neglect were committed by a person who was responsible for the health and welfare of the child and were determined to be a criminal violation.

Additionally, if the suspected abuse or neglect were committed by someone other than a parent, a legal guardian, or any other person responsible for the child's health or welfare or by a teacher, a teacher's aide, or a member of the clergy, the investigation would be in the jurisdiction of law enforcement rather than CPS. The CPS unit has a mandate to investigate harm or threatened harm to a child's health or welfare that occurs through nonaccidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment. Investigations of abuse or neglect committed by a person other than someone who is responsible for the child's health or welfare could increase costs to local government and law enforcement.

Date Completed: 3-2-18

Fiscal Analyst: John Maxwell