



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5530 (Substitute S-1 as reported)
House Bill 5531 (Substitute H-1 as reported without amendment)
House Bill 5532 (as reported without amendment)
Sponsor: Representative Lana Theis (H.B. 5530 & 5531)
Representative Sylvia A. Santana (H.B. 5532)
House Committee: Law and Justice
Senate Committee: Judiciary

CONTENT

House Bill 5530 (S-1) would amend the Michigan Penal Code to require a court to order an individual who was convicted of, or a juvenile who was adjudicated for, criminal sexual conduct (CSC) and who was a student, to be prohibited from attending the same school building as his or her victim, or using a school bus for transportation if he or she would have contact with his or her victim on the bus.

House Bill 5531 (H-1) would amend the Revised School Code to do the following:

- Allow a school board, or the school district superintendent, a school building principal, or a school district official designated by the board, to suspend or expel a pupil from school if he or she committed CSC against another pupil enrolled in the same school district.
- Require the school board, or its designee, to expel the pupil from the school district permanently if he or she pleaded to, were convicted of, or were adjudicated for CSC against another pupil enrolled in the same school district.
- Allow a permanently expelled student to enroll in a cyber school.

House Bill 5532 would amend the Revised Judicature Act to do the following:

- Allow a personal protection order (PPO) to enjoin a person from attending school in the same building as the petitioner if he or she were a minor and the victim of sexual assault by the respondent, and if the petitioner were enrolled in a public or nonpublic school that operated any of grades K to 12.
- Allow a court to restrain or enjoin an individual subject to a PPO for sexually assaulting the petitioner or for furnishing obscene material to the petitioner from attending school in the same building as the petitioner if he or she were a minor enrolled in a public or nonpublic school that operated any of grades K to 12.

Proposed MCL 750.520o (H.B. 5530)
MCL 380.1311 (H.B. 5531)
600.2950 & 600.2950a (H.B. 5532)

Legislative Analyst: Jeff Mann

FISCAL IMPACT

House Bill 5530 (H-2) and House Bill 5531 (H-1) would have no fiscal impact on the State School Aid budget, the Department of Education, or local school districts.

House Bill 5532 could have a minor, indeterminate cost for local court systems. The cost would depend on the number of PPO filings that were a direct result of the bill and the administrative costs to local circuit courts as a result of those filings. The bill would have no impact on the State.

Date Completed: 4-12-18

Fiscal Analyst: Cory Savino
Michael Siracuse