

HOUSE BILL No. 4993

September 20, 2017, Introduced by Rep. Kosowski and referred to the Committee on Law and Justice.

A bill to amend 1985 PA 87, entitled
"William Van Regenmorter crime victim's rights act,"
by amending section 79 (MCL 780.829), as added by 1988 PA 21, and
by adding section 79a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 79. (1) Upon the written request of the victim, the
2 sheriff shall notify the victim of ~~the~~ **BOTH OF THE FOLLOWING:**

3 **(A) THE** earliest possible release date of the defendant if the
4 defendant is sentenced to more than 92 days' imprisonment.

5 **(B) NOT LESS THAN 30 DAYS BEFORE THE RELEASE DATE OF THE**
6 **DEFENDANT, THE RELEASE DATE OF THE DEFENDANT.**

7 (2) The victim's written request for notice under this section
8 ~~shall~~ **MUST** include the victim's address.

1 SEC. 79A. (1) UPON THE WRITTEN REQUEST OF THE VICTIM, THE
2 DIRECTOR OF A HOSPITAL OR FACILITY WHERE A DEFENDANT FOUND NOT
3 GUILTY BY REASON OF INSANITY HAS BEEN HOSPITALIZED OR ADMITTED BY
4 COURT ORDER SHALL NOTIFY THE VICTIM OF A PENDING LEAVE, ABSENCE,
5 FURLOUGH, OR OTHER RELEASE FROM CONFINEMENT FOR THE DEFENDANT.

6 (2) THE NOTICE REQUIRED UNDER SUBSECTION (1) MUST BE GIVEN BY
7 ANY MEANS REASONABLY CALCULATED TO GIVE THE VICTIM PROMPT ACTUAL
8 NOTICE.

9 (3) A VICTIM'S ADDRESS AND TELEPHONE NUMBER MAINTAINED BY A
10 HOSPITAL OR FACILITY UNDER THIS SECTION IS EXEMPT FROM DISCLOSURE
11 UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO
12 15.246.

13 Enacting section 1. This amendatory act takes effect 90 days
14 after the date it is enacted into law.