



Senate Fiscal Agency
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House Bill 4383 (as passed by the House)
Sponsor: Representative Sara Cambensy
House Committee: Judiciary
Senate Committee: Judiciary and Public Safety

Date Completed: 12-1-20

CONTENT

The bill would amend the Michigan Penal Code to prohibit a person from intentionally using his or her professional position of authority over another person to prevent or attempt to prevent that person from reporting certain crimes.

Specifically, a person who intentionally used his or her professional position of authority over another person to prevent or attempt to prevent that person from reporting a violation of Section 136b, Sections 520b to 520e, or Section 520g (those sections prescribe the offenses of child abuse, criminal sexual conduct (CSC) in the first-, second-, third-, and fourth-degree, and assault with intent to commit second-degree CSC or CSC involving sexual penetration, respectively) to a Title IX coordinator at a postsecondary educational institution would be guilty of a misdemeanor punishable by imprisonment for up to one year or a maximum fine of \$1,000, or both.

"Postsecondary educational institution" would mean a degree- or certificate-granting public or private college or university, junior college, or community college located in Michigan.

(Title IX is a Federal law that prohibits discrimination based on sex in educational programs or activities that receive Federal financial assistance.)

The bill would take effect 90 days after being enacted.

Proposed MCL 750.478b

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have a negative fiscal impact on the State and local government. New misdemeanor arrests and convictions under the proposed bill could increase resource demands on law enforcement, court systems, community supervision, and jails. However, it is unknown how many people would be prosecuted under provisions of the bill. Any additional revenue from imposed fines would go to local libraries.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.