

SENATE BILL NO. 1130

June 30, 2022, Introduced by Senator RUNESTAD and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1975 PA 238, entitled
"Child protection law,"
(MCL 722.621 to 722.638) by adding section 8f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8f. (1) At the time a child is interviewed in an
2 accredited or an accreditable child assessment center under the
3 protocols established by the county as required under section 8(6),
4 the individual conducting the interview shall make an electronic
5 recording of the interview in its entirety, absent good cause,

1 including, but not limited to, inoperability of the recording
2 equipment or other exigent circumstances. The recording of an
3 interview described in this subsection must start at the beginning
4 of that interview. The electronic recording must not be turned off
5 until the interview is completed.

6 (2) A custodian of the videorecorded statement must allow
7 access to and retain electronic recordings in the manner provided
8 for access to and retention of videorecorded statements under
9 section 2163a of the revised judicature act of 1961, 1961 PA 236,
10 MCL 600.2163a.

11 (3) A failure to make an electronic recording of an interview
12 under this section, including failure to record the interview in
13 its entirety, does not prevent a forensic interviewer, the
14 individual being interviewed, or other witness present during the
15 taking of the statement from testifying in court as to the
16 circumstances and content of the individual's statement if the
17 court determines that the testimony is otherwise admissible.

18 (4) As used in this section:

19 (a) "Accredited or accreditable child assessment center" means
20 a facility or service provider that has received accreditation or
21 is eligible for accreditation from the national children's
22 alliance.

23 (b) "Custodian of the videorecorded statement" means that term
24 as defined in section 2163a of the revised judicature act of 1961,
25 1961 PA 236, MCL 600.2163a.

26 (c) "Electronic recording" means a videorecorded statement as
27 that term is defined in section 2163a of the revised judicature act
28 of 1961, 1961 PA 236, MCL 600.2163a.

29 Enacting section 1. This amendatory act takes effect 180 days

1 after the date it is enacted into law.

2 Enacting section 2. This amendatory act does not take effect
3 unless all of the following bills of the 101st Legislature are
4 enacted into law:

5 (a) Senate Bill No. 1129.

6

7 (b) Senate Bill No. 1128.

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