



HOUSE OF REPRESENTATIVES

COMMITTEE ON CRIMINAL JUSTICE

REP. KARA HOPE

CHAIR

COMMITTEE MEETING MINUTES

Tuesday, September 26, 2023

9:00 AM

Room 519, House Office Building

The House Committee on Criminal Justice was called to order by Chair Hope.

The Chair requested attendance be called:

Present: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Filler, Mueller, Bezotte, Harris, BeGole.

Absent: None.

Excused: None.

Representative Tyrone Carter moved to adopt the meeting minutes from September 19, 2023. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4945 and HB 4946 before the committee:

HB 4945 (Rep. O'Neal)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2023 PA 22.

HB 4946 (Rep. O'Neal)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224f (MCL 750.224f), as amended by 2014 PA 4.

Heath B. Lowry, representing the Michigan Coalition to End Domestic and Sexual Violence, testified in support of HB 4945 and HB 4946. Questions and discussion followed.

Representative O'Neal, testified in support of HB 4945 and HB 4946. Questions and discussion followed.

Kazia Kelly, representing herself, testified in support of HB 4945 and HB 4946.

Rick and Martha Omilian, representing Moms Demand Action, testified in support of HB

4945 and HB 4946.

Jen Pauliukonis, representing herself, testified in support of HB 4945 and HB 4946.

Dr. April Zeoli, representing The Institute on Firearm Injury Prevention, testified in support of HB 4945 and HB 4946. Questions and discussion followed.

Danielle Russo Bennetts and Linus Banghart-Linn, both representing the Michigan Department of Attorney General, testified in support of HB 4945 and HB 4946. Questions and discussion followed.

Tom Lambert, representing Michigan Open Carry, testified in opposition to HB 4945 and HB 4946.

The following people submitted a card in support of HB 4945 and HB 4946, but did not wish to speak:

Jess Averill, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

Lizbeth Estes, representing Indivisible Huron Valley - Statewide Indivisible Michigan.

Sarah Moore, representing Indivisible Huron Valley.

Sherri Masson, representing End Gun Violence Michigan, Brady, and Statewide Indivisible Michigan.

Ramya Swami, representing the Brady Campaign to Prevent Gun Violence.

Matt Black, representing the Michigan Academy of Family Physicians.

Catherine Tang, representing Everytown for Gun Safety.

Linda Danders, representing Moms Demand Action for Gun Sense in America.

Catherine Marshall, representing Moms Demand Action / End Gun Violence Michigan.

Melina Brann, representing the NASW - Michigan.

Megan Reynolds, representing the Michigan Poverty Law Program.

Trooper Kristina Droste, representing the Michigan State Police.

The Chair laid HB 4624, HB 4625, HB 4626, HB 4627, HB 4628, HB 4629, HB 4630, HB 4631, HB 4632 and HB 4633 before the committee:

HB 4624 (Rep. Morse)	A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 117a (MCL 400.117a), as amended by 2019 PA 114.
HB 4625 (Rep. Brenda Carter)	A bill to amend 1988 PA 13, entitled "Juvenile diversion act," by amending sections 2, 3, 6, and 9 (MCL 722.822, 722.823, 722.826, and 722.829), section 2 as amended by 2019 PA 101 and section 6 as amended by 1996 PA 137.
HB 4626 (Rep. Hope)	A bill to amend 1988 PA 13, entitled "Juvenile diversion act," by amending sections 5 and 6 (MCL 722.825 and 722.826), as amended by 1996 PA 137.
HB 4627 (Rep. Tsernoglou)	A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18 of chapter

XIIA (MCL 712A.18), as amended by 2022 PA 209.

HB 4628 (Rep. Brabec)

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 2f of chapter XIIA (MCL 712A.2f), as added by 2016 PA 185.

HB 4629 (Rep. O'Neal)

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 15 and 16 of chapter XIIA (MCL 712A.15 and 712A.16), section 15 as amended by 2020 PA 389 and section 16 as amended by 2019 PA 102.

HB 4630 (Rep. Lightner)

A bill to amend 2013 PA 93, entitled "Michigan indigent defense commission act," by amending the title and sections 3, 5, 7, 9, 11, 13, 15, 17, 21, and 23 (MCL 780.983, 780.985, 780.987, 780.989, 780.991, 780.993, 780.995, 780.997, 780.1001, and 780.1003), section 3 as amended by 2019 PA 108, sections 5, 9, 11, 13, 15, and 17 as amended by 2018 PA 214, and section 7 as amended by 2018 PA 443.

HB 4631 (Rep. Lightner)

A bill to amend 1978 PA 620, entitled "Appellate defender act," by amending the title and sections 2, 4, 6, and 7 (MCL 780.712, 780.714, 780.716, and 780.717) and by adding sections 1a and 8a.

HB 4632 (Rep. Mueller)

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 117k.

HB 4633 (Rep. Breen)

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 2d, 2f, and 4 of chapter XIIA (MCL 712A.2d, 712A.2f, and 712A.4), section 2d as amended by 2020 PA 389, section 2f as added by 2016 PA 185, and section 4 as amended by 1996 PA 409.

The following people submitted a card in support of HB 4624, HB 4625, HB 4626, HB 4627, HB 4628, HB 4629, HB 4630, HB 4631, HB 4632 and HB 4633, but did not wish to speak:

Trevor VanDyke, representing the State Court Administrative Office.

Sam Gibson, representing the Michigan Association of Counties.

Aaron Van Langevelde, representing the Michigan Department of Attorney General.

Tom Hickson, representing the Michigan Catholic Conference.

The following person submitted a card in support of HB 4624, HB 4625, HB 4626, HB 4627, HB 4628, HB 4629, HB 4630 and HB 4631, but did not wish to speak:

Nathan Triplett, representing the State Bar of Michigan.

The following person submitted a card in support of HB 4624, HB 4625, HB 4627, HB 4628,

HB 4629 and HB 4633, but did not wish to speak:
Michelle Roberts, representing Disability Rights Michigan.

The following person submitted a card in support of HB 4627, but did not wish to speak:
Kate Hude, representing the Michigan Association of Treatment Court Professionals.

The following person submitted a card in support of HB 4631, but did not wish to speak:
Chardae Burton, representing the Michigan Department of Health and Human Services.

Representative Andrews moved to adopt substitute (H-2) to HB 4624. The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.
Nays: None.
Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Tyrone Carter moved to report out HB 4624 with recommendation, as substitute (H-2). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.
Nays: None.
Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Breen moved to adopt substitute (H-1) to HB 4625. The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.
Nays: None.
Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Young moved to report out HB 4625 with recommendation, as substitute (H-1). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.
Nays: None.
Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Arbit moved to adopt substitute (H-1) to HB 4626. The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Dievendorf moved to report out HB 4626 with recommendation, as substitute (H-1). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Tsernoglou moved to adopt substitute (H-1) to HB 4627. The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Andrews moved to report out HB 4627 with recommendation, as substitute (H-1). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Tyrone Carter moved to adopt substitute (H-1) to HB 4628. The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Breen moved to report out HB 4628 with recommendation, as substitute (H-1). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Young moved to adopt substitute (H-1) to HB 4629. The motion prevailed 8-2-3:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: Reps. Filler, Bezotte.

Pass: Reps. Mueller, Harris, BeGole.

Representative Arbit moved to report out HB 4629 with recommendation, as substitute (H-1). The motion prevailed 8-2-3:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: Reps. Filler, Bezotte.

Pass: Reps. Mueller, Harris, BeGole.

Representative Dievendorf moved to adopt substitute (H-2) to HB 4630. The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Tsernoglou moved to report out HB 4630 with recommendation, as substitute (H-2). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Andrews moved to adopt substitute (H-1) to HB 4631. The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Tyrone Carter moved to report out HB 4631 with recommendation, as substitute (H-1). The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: None.

Pass: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Representative Breen moved to report out HB 4632 with recommendation. The motion prevailed 9-0-4:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou, Mueller.

Nays: None.

Pass: Reps. Filler, Bezotte, Harris, BeGole.

Representative Young moved to adopt substitute (H-1) to HB 4633. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Pass: None.

Representative Arbit moved to report out HB 4633 with recommendation, as substitute (H-1). The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hope, Andrews, Tyrone Carter, Breen, Young, Arbit, Dievendorf, Tsernoglou.

Nays: Reps. Filler, Mueller, Bezotte, Harris, BeGole.

Pass: None.

The Chair laid HB 4718 before the committee:

HB 4718 (Rep. Pohutsky)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 21d to chapter VIII.

Representative Pohutsky testified in support of HB 4718.

Emme Zanotti, representing Equality Michigan, testified in support of HB 4718.

Dakota Torolski, representing the Human Rights Campaign, testified in support of HB 4718.

The following person submitted a card in support of HB 4718, but due to the time constraints was unable to speak:

Angie Martell, representing the National LGBTQ+ Bar Association, and the LGBTQ+ Law Section of the State Bar of Michigan.

There being no further business before the committee, Chair Hope adjourned the meeting at

10:22 AM.

Representative Kara Hope, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov