



## HOUSE OF REPRESENTATIVES

### COMMITTEE ON JUDICIARY

REP. GRAHAM FILLER

CHAIR

## COMMITTEE MEETING MINUTES

Tuesday, October 8, 2019

9:00 AM

Room 519, House Office Building

The House Standing Committee on Judiciary was called to order by Chair Filler.

The Chair requested attendance be called:

Present: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Absent/Excused: None.

Representative LaFave moved to adopt the meeting minutes from October 2, 2019. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4980, HB 4981, HB 4982, HB 4983, HB 4984, and HB 4985 before the committee:

HB 4980

(Rep. Leutheuser) A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1 and 4 (MCL 780.621 and 780.624), section 1 as amended by 2016 PA 336 and section 4 as amended by 2014 PA 335, and by adding section 1b.

HB 4981

(Rep. Wendzel) A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain

criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2016 PA 336.

HB 4982 (Rep. Meerman) A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2016 PA 336.

HB 4983 (Rep. Rabhi) A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2016 PA 336.

HB 4984 (Rep. LaGrand) A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2016 PA 336.

HB 4985 (Rep. Gay-Dagnogo) A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2016 PA 336.

Attorney General Dana Nessel, representing Michigan Department of Attorney General, testified

in support of HB 4980, HB 4981, HB 4982, HB 4983, HB 4984, and HB 4985.

The Chair laid SB 257 before the committee:

SB 257 (Sen. Chang) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 4a of chapter IX (MCL 769.4a), as amended by 2013 PA 222.

Senator Chang and Megan Noland, representing the Oakland County Sheriff's Office, testified together in support of SB 257.

The following people submitted a card in support of SB 257, but did not wish to speak:

Kathy Hagenian, representing the Michigan Coalition to End Domestic and Sexual Violence.  
Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.  
Angie Povilaitis, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

Representative Berman moved to report out SB 257 with recommendation. The motion prevailed 13-0-0:

#### FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

Chairman Filler returned to HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985.

Bill Vaillencourt, President, representing the Prosecuting Attorneys Association of Michigan, testified in support of HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985. Questions and discussion followed.

Kathy Hagenian, representing the Michigan Coalition to End Domestic and Sexual Violence, testified with no position on HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985.

John S. Cooper, representing Safe and Just Michigan, testified in support of HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985.

Margeaux Bruner, representing the Perpetual Harvest Sustainable Solutions, testified in support of HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985.

Frank Rodriguez, representing himself, testified in support of HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985.

Jerry M. Kerr, representing the Unitarian Universalist Congregation of Flint, testified in support

of HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985.

Rodney McLaurin, representing Michigan Faith Action, testified in support of HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985.

The following people submitted a card in opposition to HB 4980, but did not wish to speak:  
Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

The following people submitted a card in support of HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985, but did not wish to speak:  
Jane Clark, representing the Michigan West Coast Chamber of Commerce.

The following people submitted a card with a neutral position on HB 4980, HB 4981, HB 4982, HB 4983, HB 4984 and HB 4985, but did not wish to speak:  
Mrs. Whiteside, representing herself.

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 10:28 AM.

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Representative Graham Filler, Chair

Melissa Sweet  
Committee Clerk  
msweet@house.mi.gov