



## HOUSE OF REPRESENTATIVES

### COMMITTEE ON JUDICIARY

REP. GRAHAM FILLER

CHAIR

## COMMITTEE MEETING MINUTES

Tuesday, January 14, 2020

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, Bolden.

Absent/Excused: Rep. Yancey.

Representative Howell moved to adopt the meeting minutes from December 10, 2019. There being no objection, the motion prevailed by unanimous consent.

Representative LaGrand moved to excuse Representative Yancey from the meeting. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5206 before the committee:

HB 5206

(Rep. Lilly) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2922 (MCL 600.2922), as amended by 2005 PA 270.

Representative Lilly and Kenneth Puzycki, representing himself, testified in support of HB 5206. Questions and discussion followed.

The Chair laid HB 5054, HB 5055, HB 5056, HB 5057, HB 5058, SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76 before the committee:

- HB 5054 (Rep. Farrington) A bill to amend 2014 PA 319, entitled "Sexual assault victim's access to justice act," by amending section 4 (MCL 752.954).
- HB 5055 (Rep. Calley) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15c of chapter IV (MCL 764.15c), as amended by 2001 PA 210.
- HB 5056 (Rep. Pagan) A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 2a, 6, and 13a (MCL 780.752a, 780.756, and 780.763a), section 2a as added and section 13a as amended by 2006 PA 461, and section 6 as amended by 2005 PA 184.
- HB 5057 (Rep. Rendon) A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 61b, 66, and 78a (MCL 780.811b, 780.816, and 780.828a), section 61b as added and section 78a as amended by 2006 PA 461 and section 66 as amended by 2000 PA 503.
- HB 5058 (Rep. Bolden) A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 31a, 36, and 41a (MCL 780.781a, 780.786, and 780.791a), section 31a as added and section 41a as amended by 2006 PA 461 and section 36 as amended by 2000 PA 503.
- SB 70 (Sen. Johnson) A bill to create the address confidentiality program; to provide certain protections for victims of domestic violence, sexual assault, stalking, or human trafficking and for certain other individuals; to prescribe duties and responsibilities of certain state departments; to require the promulgation of rules; to create a fund; to prohibit the disclosure of certain information and obtaining a certification under this act by fraud; and to prescribe penalties.
- SB 71 (Sen. Barrett) A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509q, 759, and 761 (MCL 168.509q, 168.759, and 168.761), section 509q as amended by 2012 PA 586 and sections 759 and 761

as amended by 2018 PA 603, and by adding sections 499b and 735a.

SB 72 (Sen. Johnson) A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1136 (MCL 380.1136), as added by 2016 PA 367.

SB 73 (Sen. Chang) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 307, 310, and 314 (MCL 257.40b, 257.307, 257.310, and 257.314), section 40b as amended by 2012 PA 498, section 307 as amended by 2018 PA 604, section 310 as amended by 2018 PA 177, and section 314 as amended by 2011 PA 159, and by adding section 310f.

SB 74 (Sen. Geiss) A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 4 (MCL 28.304), as amended by 2018 PA 47.

SB 75 (Sen. Theis) A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), section 1 as amended by 2018 PA 605, section 1a as amended by 2008 PA 31, and section 2 as amended by 2018 PA 669, and by adding section 2a.

SB 76 (Sen. LaSata) A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 916 and 1307a (MCL 600.916 and 600.1307a), section 916 as amended by 2000 PA 112 and section 1307a as amended by 2012 PA 69.

Rep. Bolden testified in support of HB 5054 (H-1), HB 5055 (H-1), HB 5056 (H-1), HB 5057 (H-1) and HB 5058 (H-1).

Lindsay Dunlop testified in support of HB 5054, HB 5055, HB 5056, HB 5057 and HB 5058.

Jane O'Shea, representing Ashton Steele, testified in support of HB 5054, HB 5055, HB 5056, HB 5057 and HB 5058.

The following people submitted a card in support of HB 5054, HB 5055, HB 5056, HB 5057, HB 5058, SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76, but did not wish to speak:

Kathy Hagenian, representing the Michigan Coalition to End Domestic and Sexual Violence.  
Rebecca Shienke, representing the Michigan Poverty Law Program.

The following people submitted a card with a support of HB 5054 (H-1), HB 5055 (H-1), HB 5056 (H-1), HB 5057 (H-1), HB 5058 (H-1), SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

The following people submitted a card in support of SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76, but did not wish to speak:

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

Jane O'Shea, representing the Junior League of Birmingham Michigan.

The following people submitted a card in support of SB 72, but did not wish to speak:

Jennifer Smith, representing the Michigan Association of School Boards.

Representative Farrington moved to adopt substitute (H-1) to HB 5054. The motion prevailed 12-0-0:

#### FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Rendon moved to adopt substitute (H-1) to HB 5055. The motion prevailed 12-0-0:

#### FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Bolden moved to adopt substitute (H-1) to HB 5056. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative LaFave moved to adopt substitute (H-1) to HB 5057. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Bolden moved to adopt substitute (H-1) to HB 5058. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The Chair laid HB 4834 before the committee:

HB 4834 (Rep. Cherry) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2018 PA 182.

Representative Cherry, Senator Ananich, and Doug Lloyd, Eaton County Prosecutor, representing the Prosecuting Attorneys Association of Michigan, testified together in support of HB 4834. Questions and discussion followed.

The following people submitted a card in support of HB 4834, but did not wish to speak:

David Knezek, representing the Attorney General Dana Nessel.

The Chair laid HB 5159, HB 5160 and HB 5161 before the committee:

HB 5159 (Rep. Hammoud) A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending sections 102, 502, and 504 (MCL 333.27102, 333.27502, and 333.27504), section 102 as amended by 2019

PA 3, section 502 as amended by 2018 PA 648, and section 504 as amended by 2018 PA 10, and by adding section 407b.

HB 5160 (Rep. Liberati) A bill to amend 2018 IL 1, entitled "Michigan Regulation and Taxation of Marihuana Act," by amending sections 3, 11, and 15 (MCL 333.27953, 333.27961, and 333.27965).

HB 5161 (Rep. Bellino) A bill to prohibit the sale of vapor products or alternative nicotine products that contain vitamin E acetate; and to prescribe penalties.

Representative Hammoud testified in support of HB 5159, HB 5160 and HB 5161. Questions and discussion followed.

Derrick Sova, representing the Michigan Department of Licensing and Regulatory Affairs, and Andrew Brisbo, representing the Michigan Marijuana Regulatory Agency, testified with no position on HB 5159 and HB 5160. Questions and discussion followed.

The following people submitted a card in support of HB 5161, but did not wish to speak:

Amber Bellazaire, representing the Michigan League for Public Policy.

The Chair laid SB 29 and SB 30 before the committee:

SB 29 (Sen. Lucido) A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as amended by 2016 PA 488.

SB 30 (Sen. Lucido) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2018 PA 374.

The following people submitted a card in support of SB 29 and SB 30, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

Representative Steven Johnson moved to report out SB 29 with recommendation. The motion prevailed 12-0-0:

#### FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Howell moved to report out SB 30 with recommendation. The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. LaGrand.

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 10:02 AM.

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Representative Graham Filler, Chair

Melissa Sweet  
Committee Clerk  
msweet@house.mi.gov