



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY
REP. GRAHAM FILLER
CHAIR

COMMITTEE MEETING MINUTES

Wednesday, September 9, 2020 8:15 AM Room 519, House Office Building

The House 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: None.

Excused: None.

The Chair laid SB 341 before the committee:

SB 341 (Sen. Lucido)

A bill to require a law enforcement agency to obtain a search warrant to access certain electronic information or data; to prescribe the manner in which certain electronic information or data may be accessed or used; to require notification to the owner or user of the electronic information, data, or electronic device that the electronic information, data, or electronic device has been accessed; and to provide remedies.

Senator Lucido testified in support of SB 341. Questions and discussion followed.

Sgt. Nicole McGhee, representing the Michigan State Police, testified in opposition to SB 341. Questions and discussion followed.

Bill Vaillencourt, representing the Prosecuting Attorneys Association of Michigan, testified in support of SB 341. Questions and discussion followed.

The following people submitted a card in support of SB 341, but did not wish to speak:

David Guenther, representing the Mackinac Center.

Kimberly Buddin, representing the American Civil Liberties Union of Michigan.

The following people submitted a card in opposition to SB 341, but did not wish to speak:
Stephanie Johnson, representing the Michigan Association of Chiefs of Police.
Matt Saxton, representing the Michigan Sheriffs' Association.

The Chair laid SB 384 and SB 385 before the committee:

SB 384	(Sen. Geiss)	A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 464b.
SB 385	(Sen. Barrett)	A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 465 (MCL 750.465).

Senator Geiss and Senator Barrett testified in support of SB 384 and SB 385. Questions and discussion followed.

Michael O'Neill, representing Vivid Seats, testified with a neutral position on SB 384 and SB 385. Questions and discussion followed.

Tony Keryakos, representing Stub Hub, testified in support of SB 384 and SB 385.

Brian Hess, representing the Sports Fans Coalition, testified in support of SB 384 and SB 385.

Chris VanDeHoet, representing Fan Freedom, testified in support of SB 384 and SB 385.

Carl Szabo, representing Net Choice, testified in support of SB 384 and SB 385.

The following people submitted a card in support of SB 385, but did not wish to speak:
John Breyault, representing the National Consumers League.

The following people submitted a card in opposition to SB 385, but did not wish to speak:
Andrew Bianchi, representing Live Nation.

The Chair laid HB 6132 before the committee:

HB 6132	(Rep. Mueller)	A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219, 904c, and 904f (MCL 257.219, 257.904c, and 257.904f), section 219 as amended by 2018 PA 74, section 904c as amended by 1999 PA 73, and section 904f as added by 1998 PA 358.
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Representative Steven Johnson moved to report out HB 6132 with recommendation. The motion prevailed 12-0-1:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: Rep. Yancey.

The Chair laid HB 5844, HB 5854, HB 5855, HB 5856 and HB 5857 before the committee:

- HB 5844 (Rep. Bellino) A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16296 and 16299 (MCL 333.16296 and 333.16299), section 16299 as amended by 2012 PA 499.
- HB 5854 (Rep. Sneller) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625, 904, 904a, and 905 (MCL 257.625, 257.904, 257.904a, and 257.905), section 625 as amended by 2017 PA 153, section 904 as amended by 2018 PA 212, and section 904a as amended by 1985 PA 53.
- HB 5855 (Rep. Brann) A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1599 and 1809 (MCL 380.1599 and 380.1809), section 1809 as added by 1995 PA 96.
- HB 5856 (Rep. Steven Johnson) A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40118, 41105, 47327, 48738, 80177, 80178b, 81134, 82128, and 82129b (MCL 324.40118, 324.41105, 324.47327, 324.48738, 324.80177, 324.80178b, 324.81134, 324.82128, and 324.82129b), section 40118 as amended by 2017 PA 124, sections 41105 and 47327 as added by 1995 PA 57, section 48738 as amended by 2014 PA 541, section 80177 as amended and section 80178b as added by 2014 PA 402, section 81134 as amended by 2014 PA 405, and section 82128 as amended and section 82129b as added by 2014 PA 404.
- HB 5857 (Rep. O'Malley) A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending sections 257 and 267 (MCL 462.257 and 462.267).

Representative Johnson, Representative Brann and Diana Prichard, representing the Americans for Prosperity, testified together in support of HB 5844, HB 5854, HB 5855, HB 5856 and HB 5857. Questions and discussion followed.

The following people submitted a card in support of HB 5844, HB 5854, HB 5855, HB 5856 and HB 5857, but did not wish to speak:

- John Cooper, representing Safe and Just Michigan.
- Algeria Wilson, representing the National Association of Social Workers.
- Tom Boyd, representing the State Court Administrator.
- Karen Ferrick, representing the City of Grand Rapids.
- Kimberly Buddin, representing the American Civil Liberties Union of Michigan.
- Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.
- David Guenther, representing the Mackinac Center.
- Matt Saxton, representing the Michigan Sheriffs Association.

Alexa Kramer, representing the Grand Rapids Chamber.
Andrew Brashier, representing the Prison Fellowship.
Meghann Keit, representing the Michigan Association of Counties.
Paul Stankewitz, representing the Michigan Catholic Conference.
Alex Rossman, representing the Michigan League for Public Policy.

The following people submitted a card in support of HB 5854, but did not wish to speak:
Judge Harvey Hoffman, representing the Michigan Association of Treatment Court Professionals.

The Chair laid HB 6159 before the committee:

HB 6159 (Rep. Hauck)	A bill to provide immunity for health care providers and health care facilities in the event of a pandemic; and to clarify the time frame for the immunity.
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Representative Hauck testified in support of HB 6159. Questions and discussion followed.

Amy Barkholz, representing the Michigan Health and Hospital Association, testified in support of HB 6159. Questions and discussion followed.

The following people submitted a card in support of HB 6159, but did not wish to speak:
Richie Farran, representing the Health Care Association of Michigan.
Sarah Waun, representing the Michigan State Medical Society.
Renee Beniak, representing the Michigan County Medical Care Facilities Council.
Adam Carlson, representing the Michigan Health and Hospital Association.

The following people submitted a card in opposition to HB 6159, but did not wish to speak:
Tim Greimel, representing the AFSCME Council 25.
Todd Tennis, representing the State Bar of Michigan Negligence Law Section.
Bill Flory, representing the Michigan Association for Justice.

There being no further business before the committee, Chair Filler adjourned the meeting at 9:41 AM.

Representative Graham Filler, Chair

Melissa Sweet
Committee Clerk
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