



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. KELLY A BREEN

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, June 14, 2023

10:30 AM

Room 521, House Office Building

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

The Chair requested attendance be called:

Present: Reps. Breen, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Absent: Rep. Edwards.

Excused: Rep. Edwards.

Representative Tyrone Carter moved to adopt the meeting minutes from June 7, 2023. There being no objection, the motion prevailed by unanimous consent.

Representative Arbit moved to excuse Representative Edwards from the meeting. There being no objection the motion prevailed by unanimous consent.

The Chair laid HB 4738 and HB 4739 before the committee:

HB 4738 (Rep. Breen)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 40b to chapter VII.

HB 4739 (Rep. Mentzer)

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," (MCL 780.751 to 780.834) by adding section 8a.

At 10:39 AM, the Chair laid the committee at ease.

At 10:40 AM, Representative Tyrone Carter called the committee back to order.

Chair Breen, Representative Mentzer, Attorney General Dana Nessel, Mitch Albers and Aaron Van Langevelde, both representing the Michigan Department of Attorney General, testified in support of HB 4738 and HB 4739. Questions and discussion followed.

At 11:08 AM, Representative Tyrone Carter laid the committee at ease.

At 11:09 AM, the Chair called the committee back to order.

Jessica Zimbelman, representing the Criminal Defense Attorneys of Michigan, testified in opposition to HB 4738 and HB 4739. Questions and discussion followed.

The following people submitted a card in support of HB 4738 and HB 4739, but did not wish to speak:

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

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

Heath B. Lowry, representing the Michigan Coalition to End Domestic and Sexual Violence.

The following person submitted a card in opposition to HB 4738 and HB 4739, but did not wish to speak:

Gabrielle Dresner, representing the ACLU of Michigan.

The Chair laid SB 56 before the committee:

SB 56	(Sen. Chang)	A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 335 (MCL 750.335), as amended by 2002 PA 672.
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The following people submitted a card in support of SB 56, but did not wish to speak:

Cassie Thierfelder, representing the United Way for Southeastern Michigan.

Kelly Doyle, representing The HIV/AIDS Alliance of Michigan.

Brian Shoaf, representing the Detroit Regional Chamber.

Representative Dievendorf moved to report out SB 56 with recommendation. The motion prevailed 9-1-2:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Wendzel, Outman.

Nays: Rep. Johnsen.

Pass: Reps. Fink, Wozniak.

The Chair laid SB 236 before the committee:

SB 236	(Sen. Irwin)	A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520a (MCL 750.520a), as amended by 2014 PA 64.
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The following person submitted a card in support of SB 236, but did not wish to speak:

Heath B. Lowry, representing the Michigan Coalition to End Domestic and Sexual Violence.

Representative Hoskins moved to report out SB 236 with recommendation. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Nays: None.

Pass: None.

The Chair laid HB 4644, HB 4645 and HB 4646 before the committee:

HB 4644 (Rep. Hope)	A bill to adopt the uniform power of attorney act; and to repeal acts and parts of acts.
HB 4645 (Rep. Haadsma)	A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20101b (MCL 324.20101b), as amended by 2000 PA 368.
HB 4646 (Rep. Haadsma)	A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10121 and 10301 (MCL 333.10121 and 333.10301), section 10121 as added by 2008 PA 39 and section 10301 as added by 2012 PA 179.

Representative Hope testified in support of HB 4644, HB 4645 and HB 4646.

Christine M. Savage, representing the Probate and Estate Planning Section, State Bar of Michigan, testified in support of HB 4644, HB 4645 and HB 4646.

Mark E. Kellogg, representing the Probate and Estate Planning Section, State Bar of Michigan, testified in support of HB 4644, HB 4645 and HB 4646.

David Sprague, representing the Probate Section of the State Bar of Michigan, testified in support of HB 4644.

Carl Marlinga, representing the Elder Abuse Task Force, and Mitch Albers, representing the Michigan Department of Attorney General, testified together in support of HB 4644. Questions and discussion followed.

Amanda Murray representing the Elder Law and Disability Rights Section, State Bar of Michigan, testified on HB 4644, HB 4645 and HB 4646.

The following person submitted a card in support of HB 4644, but due to the time constraints was unable to speak:

Nicole Shannon, representing the Michigan Elder Justice Initiative.

The following people submitted a card in support of HB 4644, HB 4645 and HB 4646, but did not wish to speak:

Alex Morris, representing the Michigan Bankers.

Christopher Smith, representing the Elder Abuse Task Force UPOAA Subcommittee.

The following person submitted a card in support of HB 4644, but did not wish to speak:

Kieran Marion, representing the Michigan Credit Union League.

There being no further business before the committee, Chair Breen adjourned the meeting at 11:55 AM.

Representative Kelly Breen, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov