



## HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY  
REP. GRAHAM FILLER  
CHAIR

### COMMITTEE MEETING MINUTES

Tuesday, December 1, 2020                      9:35 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.

Absent: Reps. Yancey, Bolden.

Excused: None.

Representative Howell moved to adopt the minutes from the September 24th, 2020 meeting. There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 761 before the committee:

SB 761	(Sen. VanderWall)	A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7521a and 7523a (MCL 333.7521a and 333.7523a), section 7521a as added by 2019 PA 7 and section 7523a as added by 2019 PA 8.
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Senator VanderWall testified in support of SB 761.

Deputy Chief Thomas Zahina, representing the Wayne County Airport, testified in support of SB 761. Questions and discussion followed.

The following people submitted a card in support of SB 761, but did not wish to speak:

Dan Pfannes, representing the Michigan Sheriffs' Association.

James Ryan, representing the Wayne County Airport Authority.

Stephanie Johnson, representing the Michigan Association of Chiefs of Police.

The following person submitted a card in opposition to SB 761, but did not wish to speak:

Kimberly Buddin, representing the ACLU of Michigan..

The Chair laid SB 1185 before the committee:

SB 1185 (Sen. VanderWall)	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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Senator VanderWall testified in support of SB 1185. Questions and discussion followed.

Tim Greimel, representing the AFSCME Council 25, testified in opposition to SB 1185. Questions and discussion followed.

Harvetta Ward, a Registered Nurse and Member of AFSCME, testified in opposition to SB 1185. Questions and discussion followed.

The following people submitted a card in support of SB 1185, but did not wish to speak:  
Scott Kempa, representing the Michigan State Medical Society.  
Sean Sorenson-Abbott, representing the Michigan Health & Hospital Association.

The following people submitted a card in opposition to SB 1185, but did not wish to speak:  
Dawn Kettinger, representing the Michigan Nurses Association.  
Jennifer Root, representing the SEIU Michigan.  
Ryan Sebolt, representing the Michigan ALF-CIO.  
Bill Flory, representing the Michigan Association for Justice.  
Todd Tennis, representing the Negligence Section of the State Bar of Michigan.

The Chair laid SB 611 before the committee:

SB 611 (Sen. MacGregor)	A bill to amend 1982 PA 455, entitled "The library privacy act," by amending the title and sections 2, 3, and 4 (MCL 397.602, 397.603, and 397.604), section 2 as amended by 1999 PA 37 and section 3 as amended by 1996 PA 188.
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Senator MacGregor testified in support of SB 611. Questions and discussion followed.

Bob DeVries, representing the Michigan Libraries, testified in support of SB 611. Questions and discussion followed.

The following person submitted a card with a neutral position on SB 611, but did not wish to speak:

Merissa Kovach, representing the ACLU of Michigan.

The following people submitted a card in support of SB 611, but did not wish to speak:

Lance Werner, representing the Kent District Library.  
Shirley A. Bruursema, representing the Kent District Library, Member of MLA Legislative Committee.  
Debbie Mikula, representing the Michigan Libraries Association.  
Jennifer L. Dean, representing the Dean of Libraries and Instructional Technology University of Detroit Mercy Libraries.  
Jasmine Parker, representing the Ferndale Area District Library.

Michael McCullough, representing the Willard Library in Battle Creek.  
Jenny Marr, representing the Ferndale Area District Library.  
Kate Van Auken, representing the White Pine Library Cooperative.  
Erin Schmandt, representing the Caro Area District Library.  
Kristin Shelley, representing the East Lansing Public Library.  
Kelly Richards, representing the Muskegon Area District Library.  
Clara Bohrer, representing the West Bloomfield Township Public Library.  
Jessica Keyser, representing the Grosse Pointe Public Library.  
Larry Neal, representing the Clinton- Macomb Public Library.  
Bryan J. Cloutier, representing the Oxford Public Library.  
Cindy Mack, representing the Brighton District Library.  
Amber Alexander, representing the Presque Isle District Library.  
Dale Parus, representing the Ionia Community Library.  
Vanessa Verdun-Morris, representing the Taylor Community Library.  
Mary P. Freier, representing the Northern Michigan University's Lydia M. Olson Library.  
Ryan Wieber, representing the Kalamazoo Public Library.  
Loretta Hunter, representing the Michigan Library Association.  
Karen Knox, representing the Orion Township Public Library.

The Chair laid HB 6255 and HB 6256 before the committee:

HB 6255 (Rep. Calley)

A bill to amend 1925 PA 289, entitled "An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 3 (MCL 28.243), as amended by 2018 PA 67.

HB 6256 (Rep. Bolden)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 26a of chapter IV (MCL 764.26a), as added by 2018 PA 65.

Representative Calley testified in support of HB 6255 and HB 6256.

Dan Pfannes, representing the Michigan Sheriffs' Association, testified in opposition to HB 6255 and HB 6256.

Tom Boyd, representing the State Court Administrative Office, testified in support of HB 6255 and HB 6256.

Aaron Stephens, representing East Lansing, testified in support of HB 6255 and HB 6256.

Elinor Jordan, J.D., representing the Michigan Coalition to End Domestic & Sexual Violence, testified in opposition to HB 6255 and HB 6256. Questions and discussion followed.

The following people submitted a card in support of HB 6255 and HB 6256, but did not wish to speak:

Alex Rossman, representing the Michigan League for Public Policy.

Kimberly Buddin, representing the ACLU of Michigan.

Noah Smith, representing the Criminal Defense Attorneys of Michigan.

John Cooper, representing the Safe and Just Michigan.

Stephanie Johnson, representing the Michigan Association of Chiefs of Police.

The Chair laid SB 681 and SB 682 before the committee:

SB 681	(Sen. Irwin)	A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18e of chapter XIIA (MCL 712A.18e), as amended by 2018 PA 142, and by adding section 18t to chapter XIIA.
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SB 682	(Sen. Lucido)	A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 28 of chapter XIIA (MCL 712A.28), as amended by 1998 PA 478.
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Justin Carpenter, representing the Office of Senator Lucido, testified in support of SB 681 and SB 682. Questions and discussion followed.

Gabrielle French, representing the Michigan Center for Youth Justice, testified in support of SB 681 and SB 682.

The following people submitted a card in support of SB 681 and SB 682, but did not wish to speak:

Tom Hickson, representing the Michigan Catholic Conference.

Brandon Lanyon, representing the PAAM.

Dr. Sharon Denniston.

Rusty Merchant, representing the Michigan Center for Youth Justice.

Alex Rossman, representing the Michigan League for Public Policy.

Peri Stone- Palmquist, representing the Student Advocacy Center of Michigan.

Kimberly Buddin, representing the ACLU of Michigan.

Donna Champine

Marion Van Dam

Kimberly Starr

Jewel Wilson

Alice Baldwin

Brooke Harris

Olivia Sedlacek

Malik Wali

Isabella Little

Alexandra Fahoome

Debra Wright

Sitara Murali

Mariska Goswami

Susan Kinsky

Anne Kelly

Jamila Martin  
Kirk Bails  
Jeffery Anderson  
Emily Royce  
Kesha Hamilton  
Mary Barber  
Angela Burchard  
Gerilyn Biggs  
Martin Ehlen  
Ali Pavlicek  
Natasha Abner  
Sophie Ordway  
Alexandria Hughes  
Jennifer Haines  
Amy Rebant  
Kathryn Dugal  
Elizabeth Clark  
Sarah Krause  
Kathy McClain  
Danielle Peck  
Tiye Taylo.  
Michelle Deatruck  
Elizabeth Weamer  
Caleb Horton  
Charina Pitts  
Sarah Horton  
Sharif-Ahmed Krabti  
Dana Wakiji  
Caryn Rose  
Kathleen Churchman  
Adrianna Duchene  
Jennifer Schlicht  
Madeline Wagner  
Jordan Sabolish  
Erin Kennedy  
Ruth Zweifler  
Frank Vaca  
Christine Worland  
Sharon Monod  
Catherine Clifford  
Karen Schultz  
Melanie Roby  
Terry Huff  
Holly Nickerson  
Alofa Jones  
Chanice Jones  
Abby Thelen  
Lisa Carlson

NM Porter  
Elizabeth Walz  
Anji Barto  
Jacob Schneyer  
Sarah Torres  
Renee Swanson  
Suzanne Connor  
Patrice Aaron  
Taylor Harrington  
Mia Ferguson  
Elizabeth Calhoun  
Cecilia Galvan  
Emily Zick  
Brooke Orbon  
Arushi Mathur  
Arden Lesoravage  
Gabriella Ahearn  
Evelyn Krause  
George R Lyles III  
Syeda Arbab  
Asma Azimi  
Sumayya Sahin  
Sarah Azimi  
Kate Meixner  
Elizabeth George  
Heidi Thornley  
Maegen Gabriel  
Susan Farquhar  
Jean Miller  
Ashley Blake  
Lynn Marana  
Nancy McCarthy  
Rosemarie Abate  
Tara McManus  
Carlyn Arteaga  
Jonathan Litt  
Suzanne Lind  
Catherine Jones-Alther  
David Sole  
Sharon Buttry  
Jean Weamer  
Audrea Dakho  
Andrew Rapin  
Jessica Makolin  
Allyse Falce  
Aditi Hukerikar  
Mary Anne Perrone  
Heather Mooney

Kayla Tipton  
Kathie Gourlay  
Tyler Cody  
Judith Bemis  
Debra F Simmons  
Laurel Schroeder  
Magdelynn Miller  
Noah Smith, representing the Criminal Defense Attorneys of Michigan.  
John Cooper, representing the Safe and Just Michigan.  
Kristen Cheney

At 10:38 AM, the Chair laid the committee at ease.

At 10:48 AM, the Chair called the committee back to order.

The Chair laid HB 5679 before the committee:

HB 5679 (Rep. Lower)

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 3, 3a, 4, 4a, 5, 5a, 7, 8, 9, 33, and 34 (MCL 28.722, 28.723, 28.723a, 28.724, 28.724a, 28.725, 28.725a, 28.727, 28.728, 28.729, 28.733, and 28.734), section 2 as amended by 2014 PA 328, sections 3, 3a, 4, 4a, and 5 as amended by 2011 PA 17, section 5a as amended by 2019 PA 82, sections 7 and 9 as amended by 2011 PA 18, section 8 as amended by 2013 PA 2, section 33 as added by 2005 PA 127, and section 34 as amended by 2005 PA 322, and by adding section 2a.

Representative Lower testified in support of HB 5679. Questions and discussion followed.

The following people submitted a card in opposition to HB 5679, but did not wish to speak:

Kimberly Buddin, representing the ACLU of Michigan.  
Don Campbell, representing the Michigan Citizens for Justice, MI-CEMI, Washtenaw Citizens for Restorative Justice.  
Jessica Zimbelman, representing the State Appellate Defender Office.  
Kay Perry, representing the MI-CURE.  
Sandy Neil Kezenius  
Jeanice Dagher-Margosian  
Jason Kiesgen  
Barbara Wybrecht  
Bruce and Candace Cline  
Kolean England  
Brian Woodman  
Martinez Kennard Braye  
Harold R. Rodgard  
Cynthia Anderson  
Kristen Kiesgen  
Steven Detvay

Adam Balden  
Gregory S. Stratton  
Al Garcia  
Chris Pelvin  
Susan Brissette  
Raul Mireles  
Daniel Lynn McDougale  
James DeVormer  
Dena DeVormer  
Matt Rokos  
Jessica Rokos  
Erin Caszatt  
John Gourlay  
Kathie Gourlay  
Christian M. Manhart  
Jonathan Meyer  
Matt Powell  
Jason Seymour  
Chris Rozman  
James and Kathleen Wilcox, Ph. D.  
Joseph and Christie Gentner  
Elijah Marzorati  
Bill Pincomb  
Gail S. Cross  
Elizabeth Hunt  
Shawn Barrera-Leaf  
JDD  
Amy Case  
Kathy Laird  
Doug Stranahan  
Cathryn Pawlusiak  
Patricia D.  
Russell Fox  
Ted Garrett  
Nancy Vogrin  
James C.  
Julian Gordon PhD.  
Dr. Sharon Denniston  
Brian Kelmar, representing the Legal Reform for Intellectually and Developmentally Disabled (LRIDD).  
Kristen Burgess  
Noah Smith, representing the Criminal Defense Attorneys of Michigan.  
John Cooper, representing the Safe and Just Michigan.

Representative LaFave moved to adopt substitute (H-2) to HB 5679. The motion prevailed  
11-0-0:

FAVORABLE ROLL CALL



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

Nays: None.

Pass: None.

Representative Berman offered the following amendment to HB 5679 (H-2):

1. Amend page 2, line 4, after the second "court" by striking out the balance of the line through "conviction" on line 5 and inserting a period and "**Convicted does not include a conviction that was**".

2. Amend page 2, line 6, after "780.624" by inserting a comma and "**or otherwise expunged**".

3. Amend page 22, following line 29, by inserting:

**"(16) If an individual required to be registered under this act presents an order to the department or the appropriate registering authority that the conviction or adjudication for which the individual is required to be registered under this act has been set aside under 1965 PA 213, MCL 780.621 to 780.624, or has been otherwise expunged, his or her registration under this act must be discontinued. If this subsection applies, the department shall remove the individual from both the law enforcement database and public internet website maintained under section 8."**

4. Amend page 39, line 10, by striking out all of subsection (10).

Representative Berman moved to adopt the amendment to HB 5679 (H-2). The motion prevailed 11-0-0:

#### FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative LaFave moved to report House Bill No. 5679 as amended, as substitute (H-5). The motion prevailed 11-0-0:

#### FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The Chair returned to SB 1185.

Representative LaFave moved to adopt substitute (H-3) to SB 1185. The motion prevailed 8-3-0:

#### FAVORABLE ROLL CALL

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

Nays: Reps. LaGrand, Guerra, Elder.

Pass: None.

Representative Farrington moved to report out SB 1185 with recommendation, as substitute (H-3). The motion prevailed 7-4-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Wozniak.

Nays: Reps. Berman, LaGrand, Guerra, Elder.

Pass: None.

The Chair returned to SB 611

Representative Filler offered the following amendment to SB 611:

1. Amend page 5, line 23, after "contract" by inserting a comma and "**including a collection agency**".

Representative Filler moved to adopt the amendment to SB 611. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative LaFave moved to report Senate Bill No. 611 as amended, as substitute (H-1). The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 10:59 AM.

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Representative Graham Filler, Chair

Amy Rostkowycz  
Acting Committee Clerk  
arostkowycz@house.mi.gov