



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY
REP. GRAHAM FILLER
CHAIR

COMMITTEE MEETING MINUTES

Tuesday, October 26, 2021

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, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Absent: Rep. Hope.

Excused: Rep. Hope.

Representative Mueller moved to adopt the meeting minutes from October 19, 2021. There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 683 before the committee:

SB 683 (Sen. MacDonald)

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 3 and 5 (MCL 712A.3 and 712A.5), section 3 as amended by 2019 PA 109 and section 5 as amended by 1996 PA 409.

Senator MacDonald, testified in support of SB 683.

The following people submitted a card in support of SB 683, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

Representative Steven Johnson moved to report out SB 683 with recommendation. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: None.

Pass: None.

The Chair laid HB 4033 and HB 4034 before the committee:

HB 4033 (Rep. VanSingel)

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and wireless communication devices and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons, substances, and wireless communication devices; to prohibit or limit the selling, giving, or furnishing of certain weapons, substances, and wireless communication devices to prisoners; to prohibit the control or possession of certain weapons, substances, and wireless communication devices by prisoners; and to prescribe penalties," by amending sections 1a and 3a (MCL 800.281a and 800.283a), section 1a as amended by 1998 PA 514 and section 3a as amended by 2012 PA 255.

HB 4034 (Rep. VanSingel)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 552b (MCL 750.552b), as added by 1996 PA 232.

The following people submitted a card in opposition to HB 4033 and HB 4034, but did not wish to speak:

Kimberly Buddin, representing the ACLU of Michigan.

Representative Mueller moved to report out HB 4033 with recommendation. The motion prevailed 11-0-1:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Bolden, Breen.

Nays: None.

Pass: Rep. Yancey.

Representative Mueller moved to report out HB 4034 with recommendation. The motion prevailed 10-0-2:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Bolden.

Nays: None.

Pass: Reps. Yancey, Breen.

The Chair laid HB 4880 before the committee:

HB 4880 (Rep. Hauck)

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2016 PA 35.

Representative Hauck and Jena Colon, representing the American Physical Therapy Association of Michigan, testified in support of HB 4880. Questions and discussion followed.

The following people submitted a card in support of HB 4880, but did not wish to speak:

Tom Hickson, representing the Michigan Catholic Conference.

Amy Zaagman, representing the Michigan Council for Maternal and Child Health.

Sam Olsen, representing the Michigan Athletic Trainers Society.

Cathleen Johnson, representing the Michigan Occupational Therapy Association.

Representative Wozniak moved to report out HB 4880 with recommendation. The motion prevailed 11-1-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: Rep. Steven Johnson.

Pass: None.

The Chair laid HB 4427 before the committee:

HB 4427 (Rep. Berman)

A bill to amend 1915 PA 31, entitled "Youth tobacco act," by amending the title and section 2 (MCL 722.642), as amended by 2019 PA 18.

Representative Berman testified in support of HB 4427.

Representative Yancey testified in support of HB 4427.

The following people submitted a card in support of HB 4427, but did not wish to speak:

Kimberly Buddin, representing the ACLU of Michigan.

Representative Yancey moved to adopt substitute (H-3) to HB 4427. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: None.

Pass: None.

Representative Berman moved to report out HB 4427 with recommendation, as substitute (H-3). The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: None.

Pass: None.

The Chair laid HB 4703 and HB 4704 before the committee:

HB 4703 (Rep. Wozniak) A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50b (MCL 750.50b), as amended by 2018 PA 452.

HB 4704 (Rep. Wozniak) A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50 (MCL 750.50), as amended by 2019 PA 135.

Representative Wozniak moved to adopt substitute (H-1) to HB 4703. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: None.

Pass: None.

Representative Wozniak moved to report out HB 4703 with recommendation, as substitute (H-1). The motion prevailed 11-1-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: Rep. Steven Johnson.

Pass: None.

Representative Wozniak moved to adopt substitute (H-1) to HB 4704. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: None.

Pass: None.

Representative Wozniak moved to report out HB 4704 with recommendation, as substitute (H-1). The motion prevailed 11-1-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: Rep. Steven Johnson.

Pass: None.

The Chair laid HB 4799 and HB 4800 before the committee:

HB 4799 (Rep. Filler)

A bill to enact the uniform assignment of rents act; to provide for the creation, perfection, and enforcement of security interests in rents; to provide remedies; and to repeal acts and parts of acts.

HB 4800 (Rep. Bolden)

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3204 (MCL 600.3204), as amended by 2018 PA 15.

The following people submitted a card in support of HB 4799 and HB 4800, but did not wish to speak:

Haleigh Krombeen, representing the Michigan Credit Union League.

The following people submitted a card in support of HB 4799:

Michael S. Leib, Paul Hage, Bob Bassel, and Judith Miller, all representing the Debtor Creditor Committee of the Business Law Section of the State Bar of Michigan.

Representative Bolden moved to adopt substitute (H-1) to HB 4799. The motion prevailed 12-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Steven Johnson, Kahle, Rendon, Berman, Wozniak, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: None.

Pass: None.

Representative Bolden moved to report out HB 4799 with recommendation, as substitute (H-1). The motion prevailed 9-1-2:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Kahle, Rendon, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: Rep. Steven Johnson.

Pass: Reps. Berman, Wozniak.

Representative Bolden moved to report out HB 4800 with recommendation. The motion prevailed 9-1-2:

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Mueller, Kahle, Rendon, Clements, LaGrand, Yancey, Bolden, Breen.

Nays: Rep. Steven Johnson.

Pass: Reps. Berman, Wozniak.

The Chair laid SB 14 and SB 15 before the committee:

SB 14 (Sen. Zorn)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 317a (MCL 750.317a), as added by 2005 PA 167.

SB 15 (Sen. Zorn)

A bill to amend 1927 PA 175, entitled "The code

of criminal procedure," (MCL 760.1 to 777.69) by adding section 5a to chapter II.

Shane Preston, from Senator Zorn's office and Allison Arnold, representing the Monroe County Prosecutor's Office, testified in support of SB 14 and SB 15. Questions and discussion followed.

The following people submitted a card in support of SB 14 and SB 15, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

The following people submitted a card in opposition to SB 14 and SB 15, but did not wish to speak:

Kimberly Buddin, representing the ACLU of Michigan.

Noah Smith, representing the Criminal Defense Attorneys of Michigan.

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

There being no further business before the committee, Chair Filler adjourned the meeting at 9:43 AM.

Representative Graham Filler, Chair

Melissa Sweet
Committee Clerk
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