

HOUSE BILL No. 4227

February 5, 1997, Introduced by Reps. Lowe, Horton, Bodem, Voorhees, Walberg, Bankes, Green, Cropsey, Goschka and Perricone and referred to the Committee on Human Services and Children.

A bill to amend 1975 PA 238, entitled
"Child protection law,"
(MCL 722.621 to 722.636) by adding section 12b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 12B. (1) THE DEPARTMENT, A LAW ENFORCEMENT AGENCY, OR
2 ANY OTHER AGENCY OR ENTITY THAT INVESTIGATES A CLAIM OF CHILD
3 ABUSE OR NEGLECT SHALL NOT QUESTION THE CHILD WHO IS THE SUS-
4 PECTED VICTIM OF THE ABUSE OR THE NEGLECT AND IS LESS THAN 16
5 YEARS OF AGE UNLESS BOTH OF THE FOLLOWING CIRCUMSTANCES EXIST:

6 (A) THE ENTIRE PERIOD OF QUESTIONING IS VIDEOTAPED AND
7 AUDIOTAPED.

8 (B) A QUALIFIED INDIVIDUAL IS PRESENT DURING THE ENTIRE
9 PERIOD OF QUESTIONING.

10 (2) THE DEPARTMENT SHALL PROMULGATE RULES PURSUANT TO THE
11 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO

1 24.328, TO ESTABLISH CRITERIA FOR INDIVIDUALS QUALIFIED TO BE
2 PRESENT DURING THE QUESTIONING OF A MINOR WHO IS A SUSPECTED
3 VICTIM OF ABUSE OR NEGLECT.