



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986

House Bill 4798 (Substitute S-1 as reported)  
House Bill 4974 (Substitute S-1 as reported)  
Sponsor: Representative Graham Filler (H.B. 4798)  
Representative Tenisha Yancey (H.B. 4974)  
House Committee: Judiciary  
Senate Committee: Judiciary and Public Safety

### **CONTENT**

House Bill 4798 (S-1) and House Bill 4974 (S-1) would amend the Crime Victim's Rights Act and Chapter VII (Grand Juries, Indictments, Informations and Proceedings Before Trial) of the Code of Criminal Procedure, respectively, to do the following:

- Require a prosecuting attorney to keep the personal information of a victim or witness, as applicable, confidential except under certain circumstances.
- Prescribe circumstances under which a defense attorney would have to redact the personal information of a victim or witness, as applicable.
- Allow a court to order, on motion by a defendant, a prosecuting attorney to provide personal information to the defense counsel or the defendant.
- Specify that the bills would not authorize the disclosure of the confidential address of an Address Confidentiality Program participant.
- Specify that a person who was required to keep confidential or redact personal information and who intentionally and willfully disclosed that personal information in violation of the bill would be guilty of a misdemeanor.

Proposed MCL 780.758a (H.B. 4798)  
MCL 767.40b (H.B. 4974)

Legislative Analyst: Stephen Jackson

### **FISCAL IMPACT**

The bills would have an indeterminate, but likely negative, fiscal impact on State and local government. While it is possible that the bills could have an indirect, negative impact on costs for courts and local prosecuting offices due to increased motions, it also is possible the bills could indirectly create savings by preventing witness and evidentiary tampering. The degree to which any costs or savings would occur cannot be calculated.

Moreover, new misdemeanor arrests and convictions under the bill could increase resource demands on law enforcement, court systems, community supervision, and jails. However, it is unknown how many people would be prosecuted under the bill's provisions. Any additional revenue from imposed fines would go to local libraries.

Date Completed: 3-9-22

Fiscal Analyst: Joe Carrasco  
Michael Siracuse