



# HOUSE BILL No. 5346

October 31, 1995, Introduced by Reps. Lowe, Voorhees, McBryde, Goschka, Baird and Perricone and referred to the Committee on Judiciary and Civil Rights.

A bill to amend Act No. 238 of the Public Acts of 1975, entitled as amended "Child protection law," as amended, being sections 722.621 to 722.636 of the Michigan Compiled Laws, by adding section 12b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Act No. 238 of the Public Acts of 1975, as  
2 amended, being sections 722.621 to 722.636 of the Michigan  
3 Compiled Laws, is amended by adding section 12b to read as  
4 follows:

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

1 (A) THE ENTIRE PERIOD OF QUESTIONING IS VIDEOTAPED AND  
2 AUDIOTAPED.

3 (B) A QUALIFIED INDIVIDUAL IS PRESENT DURING THE ENTIRE  
4 PERIOD OF QUESTIONING.

5 (2) THE DEPARTMENT SHALL PROMULGATE RULES PURSUANT TO THE  
6 ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC  
7 ACTS OF 1969, BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN  
8 COMPILED LAWS, TO ESTABLISH CRITERIA FOR INDIVIDUALS QUALIFIED TO  
9 BE PRESENT DURING THE QUESTIONING OF A MINOR WHO IS A SUSPECTED  
10 VICTIM OF ABUSE OR NEGLECT.