

HOUSE BILL No. 4725

June 9, 2011, Introduced by Rep. McMillin and referred to the Committee on Judiciary.

A bill to amend 1985 PA 87, entitled
"William Van Regenmorter crime victim's rights act,"
by amending section 80 (MCL 780.830), as added by 1988 PA 21, and
by adding sections 19b and 48b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 19B. A GOVERNMENTAL AGENCY HAVING DUTIES AND**
2 **RESPONSIBILITIES UNDER THIS ARTICLE, OR AN EMPLOYEE OF THAT AGENCY,**
3 **SHALL NOT DISCLOSE ANY OF THE FOLLOWING INFORMATION CONCERNING A**
4 **CRIME OF CHILD ABUSE, CRIMINAL SEXUAL CONDUCT, SEXUAL ASSAULT OR**
5 **MOLESTATION, OR SIMILAR CRIME, IN WHICH 1 OR MORE VICTIMS ARE LESS**
6 **THAN 18 YEARS OF AGE:**

7 **(A) THE NAME AND ADDRESS OF ANY VICTIM.**

8 **(B) THE NAME AND ADDRESS OF A VICTIM'S IMMEDIATE FAMILY MEMBER**
9 **OR A VICTIM'S RELATIVE WHO HAS THE SAME SURNAME AS THE VICTIM,**

1 OTHER THAN THE NAME AND ADDRESS OF THE ACCUSED.

2 (C) ANY OTHER INFORMATION THAT WOULD TEND TO REVEAL THE
3 IDENTITY OF ANY VICTIM, INCLUDING A REFERENCE TO A VICTIM'S
4 FAMILIAL OR OTHER RELATIONSHIP TO THE ACCUSED.

5 SEC. 48B. A GOVERNMENTAL AGENCY HAVING DUTIES AND
6 RESPONSIBILITIES UNDER THIS ARTICLE, OR AN EMPLOYEE OF THAT
7 GOVERNMENTAL AGENCY, SHALL NOT DISCLOSE ANY OF THE FOLLOWING
8 INFORMATION CONCERNING A CRIME OF CHILD ABUSE, CRIMINAL SEXUAL
9 CONDUCT, SEXUAL ASSAULT OR MOLESTATION, OR SIMILAR CRIME, IN WHICH
10 1 OR MORE VICTIMS ARE LESS THAN 18 YEARS OF AGE:

11 (A) THE NAME AND ADDRESS OF ANY VICTIM.

12 (B) THE NAME AND ADDRESS OF A VICTIM'S IMMEDIATE FAMILY MEMBER
13 OR A VICTIM'S RELATIVE WHO HAS THE SAME SURNAME AS THE VICTIM,
14 OTHER THAN THE NAME AND ADDRESS OF THE ACCUSED.

15 (C) ANY OTHER INFORMATION THAT WOULD TEND TO REVEAL THE
16 IDENTITY OF ANY VICTIM, INCLUDING A REFERENCE TO A VICTIM'S
17 FAMILIAL OR OTHER RELATIONSHIP TO THE ACCUSED.

18 Sec. 80. (1) A victim's address and telephone number
19 maintained by a court or a sheriff pursuant to ~~UNDER~~ this article
20 is exempt from disclosure under the freedom of information act, ~~Act~~
21 ~~No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246~~
22 ~~of the Michigan Compiled Laws 1976 PA 442, MCL 15.231 TO 15.246.~~

23 (2) A GOVERNMENTAL AGENCY HAVING DUTIES AND RESPONSIBILITIES
24 UNDER THIS ARTICLE SHALL NOT DISCLOSE ANY OF THE FOLLOWING
25 INFORMATION CONCERNING A CRIME OF CHILD ABUSE, CRIMINAL SEXUAL
26 CONDUCT, SEXUAL ASSAULT OR MOLESTATION, OR SIMILAR CRIME, IN WHICH
27 1 OR MORE VICTIMS ARE LESS THAN 18 YEARS OF AGE:

1 (A) THE NAME AND ADDRESS OF ANY VICTIM.

2 (B) THE NAME AND ADDRESS OF A VICTIM'S IMMEDIATE FAMILY MEMBER
3 OR A VICTIM'S RELATIVE WHO HAS THE SAME SURNAME AS THE VICTIM,
4 OTHER THAN THE NAME AND ADDRESS OF THE ACCUSED.

5 (C) ANY OTHER INFORMATION THAT WOULD TEND TO REVEAL THE
6 IDENTITY OF ANY VICTIM, INCLUDING A REFERENCE TO A VICTIM'S
7 FAMILIAL OR OTHER RELATIONSHIP TO THE ACCUSED.