

Legislative Analysis



HEARSAY TESTIMONY IN CERTAIN HUMAN TRAFFICKING OR PROSTITUTION PROSECUTIONS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4214 as introduced
Sponsor: Rep. Mike Mueller
Committee: Judiciary
Complete to 4-26-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4214 would amend Chapter VIII (Trials) of the Code of Criminal Procedure. Among other things, Chapter VIII establishes the criteria a statement made by a declarant must meet to be admissible as evidence in an action involving an offense of domestic violence. The bill would apply the criteria listed to an action involving prostitution or human trafficking.

Human trafficking would mean a violation of Chapter LXVIA of the Michigan Penal Code.

Prostitution would mean a violation of Chapter LXVII of the Michigan Penal Code.

[Currently, the code specifies that section 27c, which the bill would amend, applies to trials and evidentiary hearings commenced or in progress on or after May 1, 2006 (the date section 27c became law). As the bill is currently written, it is potentially unclear whether this provision would apply retroactively to actions involving an offense of human trafficking or prostitution that began on or after May 1, 2006, or would apply only to such actions beginning on or after the date HB 4214 takes effect.]

MCL 768.27c

FISCAL IMPACT:

A fiscal analysis is in progress.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.