



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 432 (Substitute S-1 as reported)
Senate Bills 433 through 437 (as reported without amendment)
Sponsor: Senator Roger Victory (S.B. 432)
Senator Ruth Johnson (S.B. 433)
Senator Sean McCann (S.B. 434)
Senator Dayna Polehanki (S.B. 435)
Senator John N. Damoose (S.B. 436)
Senator Stephanie Chang (S.B. 437)
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

Senate Bill 432 (S-1) would amend the Children's Ombudsman Act to do the following:

- Rename the Office of the Children's Ombudsman (OCO) to the Office of the Child Advocate and the Ombudsman to the Child Advocate.
- Specify that the duties of the Office of the Child Advocate also would apply to residential facilities that offered juvenile justice services.
- Specify that the Office of the Child Advocate could be responsible for certain juvenile justice services in addition to the services that the OCO is currently responsible for.
- Expand the list of individuals that may make a complaint to the Office of the Child Advocate to include the Governor.
- Specify that a recommendation made following a child fatality case could be provided to law enforcement.

Senate Bill 433 through 437 would amend various acts to modify references of the OCO and the Children's Ombudsman to instead refer to the Office of the Child Advocate and Child Advocate, respectively.

Senate Bills 433, 434, 435, 436, and 437 are tie-barred to Senate Bill 432.

MCL 722.921-722.931 (S.B. 432)
400.115m (S.B. 433)
710.67 et al. (S.B. 434)
722.115a & 722.120 (S.B. 435)
722.627 et al. (S.B. 436)
722.955 et al. (S.B. 437)

BRIEF RATIONALE

Governor Whitmer signed Executive Order 2021-6 on June 9, 2021, which created the Juvenile Justice Task Force Reform (Task Force) as a temporary advisory body within the Department of Health and Human Services. The Task Force was charged with analyzing Michigan's juvenile justice system and recommending changes meant to improve youth outcomes.¹ Among other things, the Task Force reported that the quality of services and case management received by youth, from defense to post-disposition placement, differs across the State and that the lack of centralization has led to discrepancies in practices. It suggested that the State expand

¹ Executive Order 2021-6.

an existing entity's scope to handle incidents in juvenile justice facilities and standardize the system's practices.

PREVIOUS LEGISLATION

(Please note: This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

Senate Bills 432, 433, 434, 435, 436, and 437 are companion bills to House Bills 4638, 4639, 4641, 4642, and 4643, respectively.

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

Senate Bill 432 (S-1)

The bill would have a moderate fiscal impact on the Department of Technology, Management, and Budget and no significant fiscal impact on local units of government. The Department estimates that \$1.6 million GF/GP and 8.0 FTEs would be required for the Office of the Child Advocate to perform the duties prescribed by the bill. House Bill 4437 appropriates these funds and FTE positions to the Office. The Department anticipates that adjustments to the estimated cost of these responsibilities may be required in future fiscal years based on actual case loads and activity.

The bill also would have an indeterminate, but likely negligible fiscal impact on the DHHS. The bill would remove the requirement that office personnel receive mandatory training conducted by the Michigan Domestic Violence Prevention and Treatment Board, but it does not specify which department would be responsible for providing training in the areas of child abuse and neglect as determined by the Child Advocate. If the responsibility stayed within the DHHS, it could experience a small increase in administrative costs to develop a new training.

Senate Bills 433 through 437

The bills would have no fiscal impact on the DHHS or local units of government.

Date Completed: 10-2-23

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