



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



BILL ANALYSIS

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

House Bills 4523 and 4525 (Substitute S-1 as reported)
House Bill 4524 (as reported without amendment)
Sponsor: Representative Kara Hope (H.B. 4523)
Representative Joey Andrews (H.B. 4524)
Representative Graham Filler (H.B. 4525)
House Committee: Judiciary
Senate Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

House Bill 4523 (S-1) would amend Chapter 10B (Mental Health Court) of the Revised Judicature Act (RJA) to allow certain violent offenders to be admitted to a mental health court if the judge and prosecuting attorney, in consultation with any known victim, gave consent.

House Bill 4524 would amend Chapter 10A (Drug Treatment Courts) of the RJA to allow a drug treatment court participant to continue with the treatment program after being convicted of a felony if a judge allowed the continuation upon consultation with the treatment team and with the agreement of the prosecuting attorney.

House Bill 4525 (S-1) would amend Chapter 10A of the RJA to allow certain violent offenders to be admitted to a drug treatment court if the judge and prosecuting attorney, in consultation with any known victim, gave consent.

Each bill would take effect 90 days after its enactment.

MCL 600.1093 (H.B. 4523)
600.1074 (H.B. 4524)
600.1064 & 600.1066 (H.B. 4525)

BRIEF RATIONALE

Drug and mental health treatment courts provide an alternative to imprisonment for nonviolent offenders. According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, there are cases where a court would like to admit an individual to a treatment court program, but that individual is ineligible because of a violent crime conviction. It has been suggested that those individuals be able to join a program at the discretion of the judge, prosecutor, and victim of the violent crime.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bills would not automatically have a fiscal impact on the State or local governments. The bills could increase costs for treatment courts if they cause a substantial increase in offender participation. It is not known how many offenders are currently excluded from mental health or drug treatment courts due to violent offender status. Specialty courts require up-front funding, at slightly more than \$100,000 per court, per year. Long-term savings for the State are realized if specialty courts reduce incarceration rates over a period of years or decades. The costs and savings are difficult to quantify.

For the Fiscal Year 2023-24, State appropriations for mental health and drug treatment courts are at \$5.7 million and \$12.6 million, respectively. There are 138 DWI/Drug treatment courts statewide (inclusive of juvenile, family, and tribal) that provide alternative sentencing options for offenders. There are 43 mental health courts statewide.

Date Completed: 2-20-24

Fiscal Analyst: Michael Siracuse

SAS\Floors2324\hb4523

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.