

# SENATE BILL NO. 263

April 13, 2023, Introduced by Senators WOJNO, SHINK, GEISS, KLINEFELT, MCMORROW, DAMOOSE, POLEHANKI, MCCANN and CHANG and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

A bill to amend 2020 PA 301, entitled  
"Address confidentiality program act,"  
by amending section 3 (MCL 780.853).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1           Sec. 3. As used in this act:
- 2           (a) "Application assistant" means an employee or volunteer at
- 3 an agency or organization that serves victims of domestic violence,
- 4 stalking, human trafficking, **kidnapping**, or sexual assault who has
- 5 received training and certification from the department of the

1 attorney general to help individuals complete applications to  
2 become program participants.

3 (b) "Confidential address" means the address of a program  
4 participant's residence, as specified on an application to be a  
5 program participant or on a notice of change of information as  
6 provided under section 5 that is classified confidential by the  
7 department of the attorney general.

8 (c) "Designated address" means the mailing address at which  
9 the department of technology, management, and budget receives mail  
10 to forward to program participants.

11 (d) "Domestic violence" means the occurrence of any of the  
12 following acts by a person that is not an act of self-defense:

13 (i) Causing or attempting to cause physical or mental harm to a  
14 family or household member.

15 (ii) Placing a family or household member in fear of physical  
16 or mental harm.

17 (iii) Causing or attempting to cause a family or household  
18 member to engage in involuntary sexual activity by force, threat of  
19 force, or duress.

20 (iv) Engaging in activity toward a family or household member  
21 that would cause a reasonable person to feel terrorized,  
22 frightened, intimidated, threatened, harassed, or molested.

23 (e) "Family or household member" means that term as defined in  
24 section 1 of 1978 PA 389, MCL 400.1501.

25 (f) "Governmental entity" means this state, a local unit of  
26 government, or any department, agency, board, commission, or other  
27 instrumentality of this state or a local unit of government.

28 (g) "Guardian of a ward" means a person who has qualified as a  
29 guardian of a legally incapacitated individual under a court

1 appointment.

2 (h) "Human trafficking" means a violation of chapter LXVIIA of  
3 the Michigan penal code, 1931 PA 328, MCL 750.462a to 750.462h.

4 (i) "Kidnapping" means a violation of section 13, 350, or 350a  
5 of the Michigan penal code, 1931 PA 328, MCL 750.13, 750.350, and  
6 750.350a, or a violation of section 349 of the Michigan penal code,  
7 1931 PA 328, MCL 750.349, if the victim was under the age of 18 at  
8 the time of the violation.

9 (j) ~~(i)~~—"Law enforcement agency" means that term as defined in  
10 section 2 of the Michigan commission on law enforcement standards  
11 act, 1965 PA 203, MCL 28.602.

12 (k) ~~(j)~~—"Local unit of government" means a city, village,  
13 township, or county in this state.

14 (l) ~~(k)~~—"Minor" means an individual under the age of 18 who is  
15 not emancipated under 1968 PA 293, MCL 722.1 to 722.6.

16 (m) ~~(l)~~—"Municipally owned utility" means electric, gas, or  
17 water services provided by a municipality.

18 (n) ~~(m)~~—"Program" means the address confidentiality program  
19 created under this act.

20 (o) ~~(n)~~—"Program participant" means an individual who is  
21 certified by the department of the attorney general as a program  
22 participant under section 5.

23 (p) ~~(o)~~—"Sexual assault" means a violation, attempted  
24 violation, or solicitation or conspiracy to commit a violation of  
25 section 520b, 520c, 520d, 520e, or 520g of the Michigan penal code,  
26 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, and  
27 750.520g.

28 (q) ~~(p)~~—"Stalking" means that term as defined in section 411h  
29 or 411i of the Michigan penal code, 1931 PA 328, MCL 750.411h and

1 750.411i.

2 (r) ~~(q)~~ "Victim" means an individual who suffers direct or  
3 threatened physical, financial, or emotional harm as the result of  
4 a commission of a crime.

5 (s) ~~(r)~~ "Victim advocate" means an employee of the department  
6 of the attorney general, the department of state, or the department  
7 of technology, management, and budget, or an employee of a county  
8 prosecutor's office, who has received training and certification  
9 from the department of the attorney general to help individuals  
10 complete applications to become program participants, and who is  
11 available to help individuals complete the applications and is  
12 responsible for assisting program participants in navigating  
13 through and accessing all aspects of the program.

14 (t) ~~(s)~~ "Ward" means that term as defined in section 1108 of  
15 the estates and protected individuals code, 1998 PA 386, MCL  
16 700.1108.

17 Enacting section 1. This amendatory act does not take effect  
18 unless Senate Bill No. 264 of the 102nd Legislature is enacted into  
19 law.