

Legislative Analysis



EXPAND CHILD PROTECTION DEFINITION

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House Bill 4493 (Substitute H-4)

Sponsor: Rep. Klint Kesto

Committee: Families, Children, and Seniors

Complete to 12-9-13

A SUMMARY OF HOUSE BILL 4493 AS REPORTED FROM COMMITTEE

The definition of "child abuse" in the Child Protection Law refers to harm or threatened harm to a child's health and welfare that occurs through nonaccidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment by parents and certain listed persons (such as, a teacher, a teacher's aide, and a member of the clergy).

The act also lists those who must report suspected cases of child abuse and neglect.

House Bill 4493 would add to both lists the term "other school employee."

The bill would define that term to mean an individual employed by a public or nonpublic school, or by another entity contracted by a public or nonpublic school, and who works regularly and continuously for compensation with children on the school premises, including, but not limited to, a janitor or coach, or an individual employed by a community college, college, or university to work regularly and continuously with children on behalf of the community college, college, or university.

The term "other school employee" would not include an individual compensated or employed by a third party to work on the school premises on an incidental or temporary basis if that work does not involve regular interaction with children.

MCL 722.622 & 623

FISCAL IMPACT:

House Bill 4493 could increase costs by a minimum amount to the state Department of Human Services (DHS) and local courts. DHS could be required to investigate additional complaints of child abuse from the persons who are newly required to report child abuse or neglect, and the local courts could be required to hold additional hearings from these potentially additional complaints.

POSITIONS:

Michigan Education Association supports the bill with changes. (12-4-13)

Michigan Catholic Conference supports the bill. (12-6-13)

Wayne County Prosecuting Attorney supports the bill. (12-6-13)

Legislative Analyst: E. Best
Fiscal Analyst: Kevin Koorstra

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