



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 73 (as reported without amendment)
Sponsor: Senator Sue Shink
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend the Freedom of Information Act (FOIA) to exempt from disclosure information that would reveal the identity of an anonymous party in a civil action alleging sexual misconduct and investigating records compiled for law enforcement purposes to the extent that disclosure as a public record would disclose the identity of a party who proceeded anonymously in a civil action in which the party alleged that he or she was the victim of sexual misconduct.

MCL 15.243

BRIEF RATIONALE

Some people believe that victims of acts of sexual misconduct, such as first-degree criminal sexual conduct, do not report the crimes for fear of retaliation. Accordingly, it has been suggested that victims of sexual misconduct be exempt from FOIA disclosure requirements when participating in a civil action alleging sexual misconduct.

PREVIOUS LEGISLATION

(Please note: The information in this summary provides a cursory overview of previous legislation and its progress. It does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)

The bill is a reintroduction of House Bill 4378 of the 2019-2020 Legislative Session. The House Bill passed the House and was reported by the Senate Committee on Judiciary and Public Safety but received no further action.

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 4-24-23

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