

Senate Bill 248 (as introduced 4-11-23)
Sponsor: Senator Dan Lauwers
Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 5-22-23

CONTENT

The bill would amend Section 2163a of the Revised Judicature Act to increase, from 16 years old to 18 years old, the age at which a witness is no longer eligible for a support dog during testimony in a court proceeding.

The bill would take effect 90 days after its enactment.

Generally, Section 2163a of the Act provides a witness as described below with special considerations in a court proceeding. These considerations include the use of dolls or mannequins during testimony, the accompaniment of a support person or support dog during testimony, and the clearing out and physical rearrangement of the court room.

The Act specifies that Section 2163a applies to a person who is a witness for prosecutions and proceedings of specified crimes. These crimes generally involve the following: 1) child abuse; 2) child sexually abusive activity; 3) criminal sexual conduct (CSC); 4) assault with intent to commit CSC; and 5) home invasion; among other crimes concerning vulnerable adults and unrelated to the bill.

Under the Act, "witness" means an alleged victim of an offense listed above who is any of the following:

- A person under 16 years old.
- A person 16 years old or older with a developmental disability.
- A vulnerable adult.

Instead, under the bill, "witness" would mean an alleged victim of an offense listed above who is any of the following:

- To be eligible for a support person or other considerations, an individual under 16 years old or 16 years old or older with a developmental disability.
- To be eligible for a support dog, an individual under 18 years old or 18 years old or older with a developmental disability.
- A vulnerable adult.

MCL 600.2163a

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

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

Fiscal Analyst: Joe Carrasco, Jr.

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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.