



MICHIGAN  
HOUSE OF REPRESENTATIVES  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE  
ON  
JUDICIARY

Tuesday, March 12, 2019                      9:00 a.m.                      Room 519 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Filler.

Members present: Reps. Filler, LaFave, Farrington, Howell, S. Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Members absent/excused: None.

Representative LaFave moved to adopt the minutes of March 5, 2019. There being no objection, the motion prevailed by unanimous consent.

Chairman Filler laid the following bill before the committee:

HB 4296            (Rep. Filler)                      Civil procedure; costs and fees; e-filing fee; extend sunset.

Tom Clement, representing the State Court Administrative Office, testified in support of the bill. Questions and discussion followed.

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan, submitted a card in support of the bill, but did not wish to speak.

Lori Frank, representing the Michigan Creditors Bar Association, submitted a card with a neutral position on the bill, but did not wish to speak.

Chairman Filler laid the following bills before the committee:

HB 4031            (Rep. Brann)                      Criminal procedure; probation; supervision fees in the code of criminal procedure; modify.

HB 4032            (Rep. Brann)                      Criminal procedure; other; supervision fees for probation and parole in code of corrections; modify.

Representative Brann and Kyle Kaminski, representing the Michigan Department of Corrections, testified together in support of the bills. Questions and discussion followed.

Chairman Filler laid the following bills before the committee:

HB 4129	(Rep. LaFave)	Corrections; parole; procedures for parole of prisoner who is determined to be medically frail; revise.
HB 4130	(Rep. Tyrone Carter)	Corrections; parole; corrections code of 1953; amend to implement medically frail parole.
HB 4131	(Rep. Griffin)	Crimes; penalties; penalties related to a parolee in a medical facility; provide for.
HB 4132	(Rep. Bolden)	Corrections; parole; corrections code of 1953; amend to implement medically frail parole.

Laurel Luke, representing the Coalition of Justice Voters, submitted a card in support of the bills, but did not wish to speak.

Rachel Richards, representing the Michigan League for Public Policy, submitted a card in support of HB 4129, HB 4130, and HB 4132, but did not wish to speak.

Jean Doss, representing the Michigan Elder Justice Initiative, Long Term Care Ombudsman, submitted a card in opposition to HB 4129, HB 4130, and HB 4131, but did not wish to speak.

Representative LaFave moved to adopt substitute (H-2) to HB 4129. The motion prevailed, the vote being 11-1-1.

#### FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, S. Johnson, Rendon, Wozniak, Guerra, Elder, Yancey, Bolden.

Nays: Rep. LaGrand.

Pass: Rep. Berman.

Representative Filler offered the following amendments to HB 4129 (H-2):

1. Amend page 7, line 19, after "**(11)(A)(i)**" by inserting a comma and "**OTHER THAN THE MEDICAL FACILITY,**".

2. Amend page 8, line 22, after "**FACILITY.**" by inserting "**THE MEDICAL FACILITY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF CONDITIONS OF PAROLE OR THE REPORTING OF VIOLATIONS OF CONDITIONS OF PAROLE FOR ANY PAROLEE PLACED IN THE MEDICAL FACILITY. THE MEDICAL FACILITY SHALL COMPLY WITH STATE AND FEDERAL LAWS AND REGULATIONS THAT PROTECT RESIDENT RIGHTS AND STATE AND FEDERAL LAWS AND REGULATIONS FOR SKILLED NURSING FACILITIES, REGARDLESS OF THE CONDITIONS OF PAROLE IMPOSED ON A RESIDENT PAROLEE.**".

Representative Rendon moved to adopt the amendments to the bill. The motion prevailed, the

vote being 12-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, S. Johnson, Rendon, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: Rep. Berman.

Representative Howell moved to report out HB 4129, with recommendation, as amended, as substitute (H-3). The motion prevailed, the vote being 12-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: Rep. S. Johnson.

Pass: None.

Representative LaFave moved to adopt substitute (H-2) to HB 4130. The motion prevailed, the vote being 13-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, S. Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

Representative Farrington moved to report out HB 4130, with recommendation, as substitute (H-2). The motion prevailed, the vote being 12-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: Rep. S. Johnson.

Pass: None.

Representative Farrington moved to adopt substitute (H-1) to HB 4131. The motion prevailed, the vote being 13-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, S. Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

Representative S. Johnson moved to report out HB 4131, with recommendation, as substitute (H-1). The motion prevailed, the vote being 12-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, S. Johnson, Rendon, Berman, Wozniak, Guerra, Elder, Yancey, Bolden.

Nays: Rep. LaGrand.

Pass: None.

Representative Bolden moved to report out HB 4132 with recommendation. The motion prevailed, the vote being 13-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, S. Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: None.

Chairman Filler laid the following bill before the committee:

SB 3            (Sen. Lucido)            Civil procedure; evictions; writ of restitution; allow to be executed by a court officer, bailiff, or deputy sheriff.

Representative Rendon moved to report out SB 3 with recommendation. The motion prevailed, the vote being 12-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Farrington, Howell, S. Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: None.

Pass: Rep. LaFave.

Chairman Filler laid the following bill before the committee:

HB 4185        (Rep. Farrington)        Crimes; malicious destruction; provision related to malicious destruction of fire or police department property; modify to include real property.

Representative Farrington testified in support of the bill.

The following people submitted a card in support of the bill, but did not wish to speak:

Jen Rigterink, representing the Michigan Municipal League.

The Michigan State Police.

Judy Allen, representing the Michigan Townships Association.

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

Blaine Koops, representing the Michigan Sheriffs' Association.

There being no further business before the committee, Chairman Filler adjourned the meeting, the time being 9:38 a.m.

**Representative Graham Filler, Chair**\_\_\_\_\_

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