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## BILL ANALYSIS



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Senate Bill 1021 (as introduced 6-8-16)  
Sponsor: Senator Jim Stamas  
Committee: Judiciary

Date Completed: 6-29-16

### **CONTENT**

**The bill would amend the Child Protection Law (CPL) to do the following:**

- Allow the disclosure of a confidential record to a children's advocacy center in the course of providing services to a victim of child abuse or child neglect or to the child's family.**
- Require the Department of Health and Human Services (DHHS) and law enforcement officials to cooperate with children's advocacy centers in the course of certain child abuse investigations.**

The bill would take effect 90 days after its enactment.

#### Disclosure of Registry Info

The CPL requires certain professionals to report to the DHHS if they have reasonable cause to suspect child abuse or neglect, and imposes various investigative, reporting, record-keeping, and other responsibilities on the Department. These include a requirement that the DHHS maintain a statewide, electronic central registry to carry out the statute. Except as otherwise provided, a written report, document, or photograph filed with the Department under the Law is a confidential record available only to specified individual and entities. The bill would include among those entities a children's advocacy center in the course of providing services to a child alleged to have been the victim of child abuse or child neglect or to that child's family.

The bill would define "children's advocacy center" as an entity accredited as a child advocacy center by the National Children's Alliance or its successor agency or an entity granted associate or developing membership status by the National Children's Alliance or its successor agency.

#### Investigation Cooperation

Within 24 hours after receiving a report made under the CPL, the DHHS must refer the report to the prosecuting attorney and the local law enforcement agency if the report involves child abuse causing death or severe injury; sexual abuse or exploitation; first-, second-, third-, or fourth-degree child abuse; involvement in child sexually abusive activity or possession of child sexually abusive material; or exposure to the manufacture of methamphetamine. The CPL requires the Department to cooperate with law enforcement officials, courts, and appropriate State agencies providing human services in relation to preventing, identifying, and treating child abuse and child neglect. Under the bill, the DHHS also would have to cooperate with children's advocacy centers in relation to those activities.

The CPL requires law enforcement officials to cooperate with the DHHS in conducting investigations. Under the bill, law enforcement officials also would have to cooperate with children's advocacy centers.

In each county, the CPL requires the prosecuting attorney and the DHHS to develop and establish procedures for involving law enforcement officials. The bill would require those procedures to include involving children's advocacy centers

MCL 722.622 et al.

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

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

Fiscal Analyst: John Maxwell

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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.