



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5795 (Substitute H-1 as reported without amendment)
Sponsor: Representative Sam Singh
House Committee: Law and Justice
Senate Committee: Judiciary

CONTENT

The bill would enact the "Higher Education Sexual Assault Prevention, Advocacy, and Resource Officer Act" to do the following:

- Create the Office of the Higher Education Sexual Assault Prevention, Advocacy, and Resource Officer within the Department of Civil Rights.
- Require the principal executive officer of the Office to be appointed by and serve at the pleasure of the Department.
- Require the advocacy officer to submit an annual report on the conduct of the Office to the Department and certain members of the Legislature.
- Require any communication between the advocacy officer and any person regarding a possible sexual assault to be treated as confidential, except as provided in the Child Protection Law.
- Exempt from the Freedom of Information Act any record owned, used, possessed, or retained by the Office in the performance of an official function and all records kept by the advocacy officer.
- Require the Department to promulgate rules to implement the proposed Act.
- Require the Legislature to appropriate annually a sum sufficient to implement the Act.

Responsibilities of the advocacy officer would include, among others, encouraging institutions of higher education to improve the quality and coordination of services they provide to assist students who could be sexual assault victims; promoting public awareness of the issue of sexual assault at institutions of higher education; providing information to students who could be sexual assault victims about programs and services provided for them by each level of government; and providing technical assistance to institutions of higher education regarding preventive and corrective measures to mitigate the likelihood and effects of sexual assaults on campus.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

Implementation of the proposed Act would add costs to the Department of Civil Rights. The Department has indicated that the primary costs would be due to hiring additional staff. The Department estimates that four additional FTEs would need to be hired to properly implement the Act. Also, there would be some office start-up costs for equipment and supplies and the rental of office space. The first-year costs are estimated at \$500,000 to \$650,000. The bill would require the Legislature to appropriate funds annually for implementation of the Act, although the Legislature cannot commit a future Legislature to spend.

Date Completed: 6-11-18

Fiscal Analyst: Joe Carrasco

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Bill Analysis @ www.senate.michigan.gov/sfa

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