



Senate Fiscal Agency
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House Bill 4948 (as reported without amendment)
Sponsor: Representative Kristian Grant
House Committee: Criminal Justice
Senate Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend the landlord-tenant Act to prohibit a landlord from requiring a prospective tenant to disclose the following criminal records and allow a prospective tenant to bring an action seeking injunctive relief against a landlord that did so:

- A conviction set aside under Public Act 213 of 1965, which provides for the setting aside of convictions in certain criminal cases.
- A finding of juvenile delinquency under Federal Law.
- Participation in a diversion program for juveniles.
- The assignment of youthful trainee status under the Holmes Youthful Trainee Act under Chapter II (Courts) of the Code of Criminal Procedure, which allows for dismissal of a criminal conviction if the offense was committed while the individual was 18 to 26 years old and the individual completed probation, custodial supervision, or jailtime.
- The entry of a judgement or order of disposition by a court of another state that stated or was based on a finding that a juvenile had violated a law of another state that would have been a criminal offense if committed by an adult in that other state.

BRIEF RATIONALE

Public Act 193 of 2020 enacted "clean slate" legislation which took effect April of 2023. This legislation, among other things, expunged or set aside certain criminal records for eligible individuals. According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, prospective tenants with previously expunged convictions are sometimes asked by landlords to disclose such information as a way to circumvent this legislation. It has been suggested that landlords be prohibited from requiring a prospective tenant to disclose expunged or set aside records.

MCL 551.602a

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. The impact would depend on the number of violations of injunctive orders placed on landlords by local courts for requiring disclosures that would be prohibited under the language of the bill. Revenue from these civil fines would be used to support law libraries. Additionally, a \$10 dollar civil fine under Section 8827(4) of the Revised Judicature Act for each violation would be deposited into the Justice System Fund, which supports justice-related State expenditures in several departments, including State Police, Corrections, Health & Human Services, and Treasury, along with the Judicial Branch. The amount of revenue the bill would generate cannot be determined and would be based on caseloads and subsequent violations of injunctive court orders.

Date Completed: 4-22-24

Fiscal Analyst: Michael Siracuse

[floor/hb4948](#)

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

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