

CRIMINAL ISSUES INITIATIVE

Respectfully submits the following position on:

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HB 4083

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The Criminal Issues Initiatives is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Criminal Issues Initiatives only and is not an official position of the State Bar of Michigan, nor does it necessarily reflect the views of all members of the State Bar of Michigan.

The State Bar's position on this matter is oppose.

The total membership of the Criminal Issues Initiatives 15.

The position was adopted after discussion at a scheduled meeting and an e-vote. The number of members in the decision-making body is 15. The number who voted in favor to this position was 10. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of Committee:

Criminal Issues Initiative

Contact persons:

Miriam Aukerman

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Bill Number:

[HB 4083](#) (Lori) Law enforcement; other; Michigan crime stoppers act; create, and provide for criminal assessments to fund crime stopper activities. Creates new act.

Date position was adopted:

May 17, 2013

Process used to take the ideological position:

Position adopted after discussion at a scheduled meeting and electronic vote

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

10 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

The Initiative opposes HB 4083 for several reasons. The courts would be administering a tax on individuals convicted of misdemeanors and/or felonies to distribute to a private entity. The court system should not be required to collect fees to benefit private programs. Finally, there is no provision in the legislation that would allow the fee to be waived for indigent individuals.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2013-HB-4083>

FOR LEGISLATIVE ISSUES ONLY:

This position falls within the following Keller-permissible category:

- The regulation and discipline of attorneys
- ✓ The improvement of the functioning of the courts
- The availability of legal services to society
- The regulation of attorney trust accounts
- The regulation of the legal profession, including the education, the ethics, the competency, and the integrity of the profession.

Keller-permissible explanation:

This bill affects the functioning of the courts because it requires the courts to assess an additional fee.