



## Report on Public Policy Position

**Name of Committee:**

Criminal Jurisprudence and Practice Committee

**Contact Person:**

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**Bill Number:**

**HB 4166** (Pastor) Crimes; disorderly conduct; penalties for participants at a youth athletic event to interfere with the game; provide for. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 81e.

**Date position was adopted:**

3/17/05

**Process used to take the ideological position:**

Committee meeting

**Number of members in the decision-making body:**

10

**Number who voted in favor and opposed to the position:**

Unanimous vote in opposition to bill

**Position:**

This bill enacts a new crime for those who engage in unlawful conduct at sports events involving participants under the age of 18. The bill is unnecessary as the current criminal code, with crimes such as assault and battery and felonious assault, provide full and adequate penalties for any assaultive conduct which is also covered by this bill. The bill is duplicative and unnecessary and creates special protection for a small class of people.

**The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:**

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4166>

<b>RECOMMEND STATE BAR ACTION ON THIS ISSUE:</b>
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**Arguments for the position:**

See above

**Arguments against the position (if any):**

None

**If the State Bar currently has a position on this subject matter, state the position, and an analysis of whether the recommended position and the current State Bar position are in conflict.**

On June 10, 2005, the State Bar of Michigan unanimously voted to adopt a position of oppose in principle.

**Fiscal implications of the recommended policy to the State Bar of Michigan:**

None

**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 imposes needless duplication that will only clog the courts with cases that could be prosecuted under existing laws.