

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

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Bill Number:

[SB 0458](#) (Switalski) Criminal procedure; sentencing; requirement of presentence report for nonpayment of support; eliminate. Amends sec. 14, ch. XI of [1927 PA 175](#) (MCL [771.14](#)).

Date position was adopted:

May 2, 2009

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

16 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:

SB 458 is a reintroduction of a bill the Section opposed last term. It would eliminate presentence reports for felony non-support cases. Presentence reports provide information on a defendant's ability to pay restitution, which would be valuable information in deciding a sentence for felony non-support. The Family Law Section opposes this bill.

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?2009-SB-0458>