

# HOUSE BILL No. 5237

January 22, 2014, Introduced by Reps. Cavanagh, Heise, Lamonte, Hovey-Wright, LaVoy, Lauwers, Price, Rogers, Darany, Singh, Slavens, Brinks, Haveman, Kowall, Zorn, O'Brien, Faris, Barnett, Driskell, Haugh, Roberts, Brown, Banks, McCready, Lyons, Lane, Tlaib, Irwin and Kivela and referred to the Committee on Criminal Justice.

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending section 16b (MCL 780.766b), as added by 2010 PA 364.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 16b. When sentencing a defendant convicted of an offense  
2 described in chapter LXVIIIA of the Michigan penal code, 1931 PA  
3 328, MCL 750.462a to ~~750.462i~~, **750.462H**, the court shall order  
4 restitution for the full amount of loss suffered by the victim. In  
5 addition to restitution ordered under section 16, the court may  
6 order the defendant to pay all of the following:

7           (a) Lost income, calculated by whichever of the following  
8 methods results in the largest amount:

9           (i) The gross amount received by the defendant from or the

House Bill No. 5237 as amended March 18, 2014

1 value to the defendant of the victim's labor or services.

2 (ii) The value of the victim's labor or services as calculated  
3 under the minimum wage law of 1964, 1964 PA 154, MCL 408.381 to  
4 408.398, or the federal minimum wage, whichever results in the  
5 largest value.

6 (iii) Income loss as determined under section 16(4)(c).

7 (b) The cost of transportation, temporary housing, and child  
8 care expenses incurred by the victim because of the offense.

9 (c) Attorney fees and other costs and expenses incurred by the  
10 victim because of the offense, including, but not limited to, costs  
11 and expenses relating to assisting the investigation of the offense  
12 and for attendance at related court proceedings as follows:

13 (i) Wages lost.

14 (ii) Child care.

15 (iii) Transportation.

16 (iv) Parking.

17 (d) Any other loss suffered by the victim as a proximate  
18 result of the offense.

[Enacting section 1. This amendatory act takes effect 90 days after  
the date it is enacted into law.]

19 Enacting section [2]. This amendatory act does not take effect  
20 unless Senate Bill No. \_\_\_\_ or House Bill No. 5234 (request no.  
21 03727'13) of the 97th Legislature is enacted into law.