

Legislative Analysis



UNEMPLOYMENT INSURANCE AGENCY DATA AVAILABILITY AND ONLINE SYSTEM

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4545 as introduced
Sponsor: Rep. Jim Ellison

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4546 as introduced
Sponsor: Rep. Gary Howell

Committee: Workforce & Talent Development
Complete to 5-1-17

SUMMARY:

House Bill 4545 would amend the Michigan Employment Security Act (MCL 421.11) to allow the Michigan Unemployment Insurance Agency (UIA) to make certain information it collects available to additional institutions for public service-related research projects, training, or evaluation. It would also require the UIA to implement an online system to identify the information available and make it easier to obtain that information. Finally, it would add to those subject to a penalty for disclosing that information or violating related confidentiality agreements, and make technical changes to the Act.

Currently under the law, the UIA may make information it obtains available for use on research projects of a public service nature to colleges, universities, or agencies of the state conducting certain research for a public official. The bill would allow this information to be shared *for course or training program planning or evaluation*, as well, and would extend the availability of this information to *a community college, or a workforce development agency* conducting certain research for a public official.

Additionally, the bill would require the UIA to implement an *online system*, which would identify the information collected by the UIA that may be made available to these institutions and agencies, and to assist them in the application process required to gain access to that information.

Under current law, the UIA enters into a written, enforceable agreement with the public official, which holds the official responsible for ensuring that the agency or institution conducting the research maintains the confidentiality of the information. House Bill 4545 would require that a confidentiality agreement be executed between the UIA and the public official or an employee of the college, university, community college, or workforce development agency, and that the agreement extend for a period of no more than 10 years.

House Bill 4546 would leave unchanged the penalty for making use of any information obtained by the UIA in connection with a public service-related research project for any purpose other than in connection with the project, but would apply it to a person associated with a community college or workforce development agency in addition to the already-

included parties. The person would be guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000, or both. (MCL 421.54(f))

(Under House Bill 4545, the public official or employee who executed a confidentiality agreement guaranteeing that the information would not be disclosed would also be subject to these penalties.)

House Bill 4546 is tie-barred to HB 4545, meaning that it would not take effect unless HB 4545 is also enacted. The bills would take effect 90 days after enactment.

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on local court systems and would depend on the number of individuals convicted under provisions of the bill. New misdemeanor convictions would increase costs related to county jails and/or local misdemeanor probation supervision. The costs of local incarceration in a county jail and local misdemeanor probation supervision vary by jurisdiction. The fiscal impact on local court systems would depend on how the provisions of the bill affected caseloads and related administrative costs. Any increase in penal fine revenues would increase funding for local libraries, which are the constitutionally designated recipients of those revenues.

An analysis of the fiscal impact on the Department of Licensing and Regulatory Affairs is in process.

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