

HOUSE BILL NO. 5889

March 09, 2022, Introduced by Rep. Glenn and referred to the Committee on Rules and Competitiveness.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2157c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2157c. (1) The following are not admissible as evidence
2 in a civil or criminal proceeding without the prior written consent
3 of the victim of human trafficking:

4 (a) A confidential communication.

5 (b) Any of the following if given or made in connection with a
6 consultation between a victim of human trafficking and a counselor:

1 (i) A report.

2 (ii) A working paper.

3 (iii) A statement contained in a report or working paper.

4 (2) The confidentiality provided under subsection (1) is not
5 waived by the presence of another individual that is necessary to
6 effectuate the communication.

7 (3) As used in this section:

8 (a) "Confidential communication" means information transmitted
9 in connection with the rendering of crisis intervention, advice,
10 counseling, or other assistance that is 1 of the following:

11 (i) Between a victim of human trafficking and human trafficking
12 victim service agency staff.

13 (ii) Between a victim of human trafficking or human trafficking
14 victim service agency staff and any other individual to whom
15 disclosure is reasonably necessary to further the interests of the
16 victim.

17 (b) "Human trafficking victim service agency staff" means an
18 individual who is employed by or who volunteers services for a
19 human trafficking victim support agency, and who in that capacity
20 provides advice, supportive services, crisis intervention,
21 advocacy, or other assistance to victims of human trafficking.

22 (c) "Human trafficking victim support agency" means an office,
23 refuge, shelter, safe house, institution, agency, center, or other
24 entity that offers assistance to victims of human trafficking and
25 their families through crisis intervention, shelter, advocacy,
26 legal, supportive counseling, or similar service.

27 (d) "Victim of human trafficking" means an individual who was
28 or who alleges to have been the subject of human trafficking as
29 described in chapter LXVII or LXVIIIA of the Michigan penal code,

1 1931 PA 328, MCL 750.448 to 750.462 and 750.462a to 750.462h.