



Senate Bill 922 (Substitute S-1 as reported)  
Senate Bills 923 through 925 (as reported without amendment)  
Sponsor: Senator Veronica Klinefelt (S.B. 922)  
Senator Sarah Anthony (S.B. 923)  
Senator Kevin Hertel (S.B. 924)  
Senator Jeff Irwin (S.B. 925)  
Committee: Civil Rights, Judiciary, and Public Safety

## **CONTENT**

Senate Bill 922 (S-1) would amend the Revised Judicature Act to do the following:

- Allow certain elder and vulnerable adults to petition a circuit court to enter an elder and vulnerable adult personal protective order (PPO).
- Prescribe the relief an elder and vulnerable adult PPO could offer, including protecting the petitioner from certain financial exploitation and enjoining or restraining an individual from harming or attempting to harm the petitioner or the petitioner's property.
- Specify that if the petitioner were a ward or protected individual in a guardianship or conservatorship proceeding, the issuing court would have to transfer the order to a probate court.
- Require a court to issue an elder and vulnerable adult PPO upon determination of reasonable cause and specify what a court would have to consider reasonable cause.
- Prohibit a court from refusing to issue a PPO solely because of the absence of a police report, medical report, or signs of physical abuse, among other things.
- Require that a respondent's employer be notified prior to issuing a PPO if that respondent were licensed and required to carry a concealed weapon as a condition of employment.
- Require a PPO form to include certain enforceability information and to specify the actions the PPO would cover, the penalties for violating it, and the instructions for modification, among other things.
- Prescribe the process for a court to issue an elder or vulnerable adult ex parte PPO.
- Prescribe the duties of a court clerk following the issuance of a PPO, such as filing true copies of the PPO with a law enforcement agency.
- Prescribe the process for a law enforcement agency to serve an individual with an elder and vulnerable adult PPO.

Senate Bill 923 would amend the Michigan Penal Code to include as a violation of "racketeering" a person obtaining or using or attempting to obtain or use a vulnerable adult's money or property through fraud, deceit, misrepresentation, coercion, or unjust enrichment.

Senate Bill 924 would amend the Michigan Penal Code to do the following:

- Specify that a person who fraudulently obtained or used or attempted to obtain or use a vulnerable adult's money or property while that vulnerable adult was alive and continued after that vulnerable adult died would be subject to prosecution for the acts committed during and after the vulnerable adult's lifetime.
- Allow the values of money or property used or obtained or attempted to be used or obtained during and after the vulnerable adult's life to be aggregated when determining penalties.

Senate Bill 925 would enact a new law to allow a county or region to create a vulnerable adult multidisciplinary team (team) and to do the following:

- Require a team to work to further certain goals to protect vulnerable adults from financial exploitation, abuse, or neglect, and to disseminate information to the public about protecting and supporting vulnerable adults, among other things.
- Prescribe how information or records produced or obtained by the team could be used and specify certain confidentiality provisions.

Proposed MCL 600.2950p (S.B. 922)  
MCL 750.159g (S.B. 923)  
750.174a (S.B. 924)

### **BRIEF RATIONALE**

Currently in Michigan, more than 73,000 older adults are victims of some form of elder abuse, including scams and fraud.<sup>1</sup> Specifically, Americans over 60 lost \$3.4 billion to scams in 2023.<sup>2</sup> According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, the State's laws do not effectively protect vulnerable residents from such exploitation and neglect. It has been suggested that a framework be created for older adults to secure PPOs specifically for protection against financial and elder abuse.

Legislative Analyst: Eleni Lionas

### **FISCAL IMPACT**

Senate Bill 922 (S-1) is likely to create hearing costs for circuit and probate courts throughout Michigan to an unknown amount. Data from Michigan's Interactive Court Data Dashboard shows that in 2023 there were 12,014 filings for personal protection orders in regard to stalking, 525 filings for protective orders under the juvenile code, and 22,608 filings for protective orders in regard to domestic relationships. It is not known to what degree the creation of a new protection hearing type for elder and vulnerable adults would add to circuit and probate court caseloads, though it is likely that a significant percentage of the over 34,000 filings in 2023 regarding stalking and domestic relationships may have involved an elder or vulnerable adult. According to 2020 Federal census data, nearly 2.5 million of Michigan's 10.07 million population, or 24.7%, are adults aged 60 and older.

Senate Bill 923 and Senate Bill 924 are not expected to have a fiscal impact on State or local court systems.

Senate Bill 925 would not have a fiscal impact on the State and would not have a direct fiscal impact on local units of government. The bill would allow for the creation of a county or regional vulnerable adult multidisciplinary team that could cost the local unit of government, if the local unit of government decided to create a team. It is unknown how much it would cost the local unit of government, but the average salary of a social worker in Michigan is approximately \$55,000 per year plus benefits.

Date Completed: 10-4-24

Fiscal Analyst: Bobby Canell; Joe Carrasco, Jr.; Michael Siracuse

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<sup>1</sup> "Elder Abuse, Neglect, and Exploitation" Michigan Department of Attorney General, <https://www.michigan.gov/ag/initiatives/elder-abuse>. Retrieved 10-2-24.

<sup>2</sup> "2023 Elder Fraud Report" Federal Bureau of Investigation, [https://www.ic3.gov/Media/PDF/AnnualReport/2023\\_IC3ElderFraudReport.pdf](https://www.ic3.gov/Media/PDF/AnnualReport/2023_IC3ElderFraudReport.pdf). Retrieved 10-2-24.