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BILL ANALYSIS



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Senate Bills 611 and 612 (as introduced 10-16-25)
Sponsor: Senator Stephanie Chang (S.B. 611)
Senator Ruth Johnson (S.B. 612)
Committee: Civil Rights, Judiciary, and Public Safety

Date Completed: 10-28-25

INTRODUCTION

The bills would modify requirements for serving a court document in a personal protection order (PPO) proceeding related to domestic violence or stalking. They would prohibit a court or law enforcement agency from charging a petitioner a fee for serving a document in such proceedings to comply with Federal law that disqualifies a state from receiving specific grant funding if the state charges a petitioner a fee to serve papers in proceedings related to domestic violence, dating violence, sexual assault, or stalking. Instead of charging a petitioner for the fee, the bills would create the Personal Protection Order Fund (Fund) and require the Department of State Police (MSP) to spend money from the Fund for service by law enforcement agencies of court documents in such PPO proceedings. A serving law enforcement agency could charge and collect \$50 from the Fund for completed service of a domestic violence or stalking PPO. The bills also would modify service requirements of law enforcement agencies in accordance with the proposed prohibition.

The bills are tie-barred.

FISCAL IMPACT

The bill would have a minimal fiscal impact on local courts and law enforcement agencies, provided the Personal Protection Order Service Fund would have adequate appropriations to reimburse courts and law enforcement agencies for those costs. With over 10,000 personal protection order requests annually filed by petitioners statewide, and any related filings, such as hearing notices, subpoenas, or show cause orders per the language of Senate Bill 612, the required annual appropriation amount for the Fund would likely be between \$750,000 and \$1.5 million.

It is also not certain that the \$50 service fee amount prescribed by Senate Bill 611 is an accurate reflection of actual costs for courts or law enforcement agencies when serving protective orders; however, it is commensurate with other server fees. There may be indeterminate costs for the MSP associated with processing reimbursement requests and issuing payments per the language of the bills.

The bill would not have a significant fiscal impact on the Department of Treasury. Existing appropriations would be sufficient to establish and direct the investment of the new Fund. In the event that the average daily balance of the Fund would regularly exceed \$1.0 million, minor administrative costs could be incurred. This would depend upon the total amount appropriated to the Fund. This amount is currently unknown.

MCL 600.2559 & 600.2950 (S.B. 611)
600.2950 et al. (S.B. 612)

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CONTENT

Senate Bill 611 would amend Chapter 25 (Fees) of the Revised Judicature Act to do the following:

- Prohibit a court or law enforcement agency from charging or collecting from a petitioner a fee for serving a court document in a PPO proceeding related to domestic violence or stalking.**
- Allow a law enforcement agency required to serve a court document in a PPO proceeding described above to instead charge and collect \$50 for completed service from the Fund proposed by Senate Bill 612.**
- Modify requirements of a domestic violence PPO proceeding and service process in accordance with the proposed changes above.**

Senate Bill 612 would amend the Revised Judicature Act to do the following:

- Create the Fund and require the MSP to spend money from the Fund to provide for service by law enforcement agencies of court documents in proceedings for PPOs related to domestic violence or stalking.**
- Prescribe the timeline and process for a law enforcement agency to serve a PPO related to domestic violence or stalking.**
- Modify requirements of a stalking PPO proceeding and service process in accordance with the proposed changes above.**

Senate Bill 611

Prohibit Petitioner Fee for Serving Papers for Domestic Violence and Stalking PPOs

Chapter 25 of the Revised Judicature Act prescribes specific fees that a petitioner must pay for service of court papers to a person upon the filing of a civil or criminal action by the petitioner. Generally, papers are served on defendants, garnishees, witnesses, or other persons involved in civil or criminal action. Chapter 25 also prohibits such fees in certain instances, such as for serving papers issued in an action brought under the Extreme Risk Protection Order Act.

Under the bill, to assure compliance with Section 40121 of the Federal Violence Against Women Act (34 USC 10450) a court or law enforcement agency could not charge or collect from the petitioner a fee for serving a court document in a proceeding for a PPO under Section 2950 or 2950a or a foreign protection order under Section 2950l.

(Generally, 34 USC 10450 disqualifies a state or governmental unit from Federal grant funding to combat violent crimes against women if the state or governmental unit charges a petitioner a fee to serve papers in a proceeding related to domestic violence, dating violence, sexual assault, or a stalking offense.

Section 2950 allows an individual to petition the family division of circuit court to enter a PPO to restrain a spouse, former spouse, an individual with whom he or she has had a child in common, an individual with whom he or she has or has had a dating relationship, or an individual residing or having resided in the same household as the petitioner from taking certain action. Such actions include entering onto specified premises, removing children from the individual, and purchasing or possessing a firearm, among other actions that can be restrained. Section 2950a allows an individual to petition the family division of circuit court to enter a PPO to restrain another individual from stalking the petitioner. Section 2950l requires

law enforcement, prosecutors, and the courts to enforce a PPO issued in another state in the same manner that they would enforce a PPO under the other sections described above.)

Alternative Way to Collect Prohibited Fee

Under the bill, a law enforcement agency required to serve a court document in a proceeding in connection with the sections described above could charge and collect \$50 for completed service from the Fund proposed by Senate Bill 612. The agency could not charge or collect more than \$50 for service of multiple documents at the same time. Specifically, a law enforcement agency could charge and collect the Fund in this manner for all the following and any accompanying documents:

- A petition for a PPO.
- A PPO.
- A notice of hearing.
- A subpoena or order to appear for a witness.
- A motion to show cause.
- An order to appear on a show cause motion.

Domestic Violence PPO Service Requirements (Section 2950)

Section 2950 prescribes the duties of a court and law enforcement agency in serving a petitioner's papers for a domestic violence PPO as described above. Among other duties, the issuing court must designate in the PPO a law enforcement agency responsible for entering the PPO into the Law Enforcement Information Network (LEIN), which generally assists law enforcement agencies in performing their duties to uphold the law. Under the bill, the issuing court also would have to designate in a PPO the law enforcement agency that was responsible for serving the order, and the petition and notice of hearing if applicable, on the respondent; however, this requirement would not bar any other law enforcement agency from serving the documents.

Additionally, Section 2950 requires the clerk of the court issuing a PPO to take specified action immediately following the issuance of the PPO. Among other actions, the clerk must provide the petitioner with two or more true copies of the PPO. The bill specifies that these copies would have to be provided at no cost to the petitioner. The bill also would require the clerk to inform the petitioner that the PPO, and the petition and notice of hearing if applicable, would have to be served immediately and at no charge to the petitioner by the designated law enforcement agency.

Finally, Section 2950 requires a PPO issued to be served personally or by registered or certified mail, return receipt requested, delivery restricted to the addressee at the last known address or addresses of the individual restrained or enjoined or by another manner allowed by Michigan court rules. Instead, under the bill, a PPO issued under Section 2950 would have to be issued as prescribed by Senate Bill 612.

Senate Bill 612

Stalking PPO Service Requirements (Section 2950a)

Section 2950a prescribes the duties of a court and law enforcement agency in serving a petitioner's papers for a stalking PPO as described under Senate Bill 611. Among other duties, the issuing court must designate in the PPO a law enforcement agency responsible for entering the PPO into the LEIN. Under the bill, the issuing court also would have to designate in a PPO the law enforcement agency that was responsible for serving the order, and the petition and

notice of hearing if applicable, on the respondent; however, this requirement would not bar any other law enforcement agency from serving the documents.

Additionally, Section 2950a requires the clerk of the court issuing a PPO to take specified action immediately following the issuance of the PPO. Among other actions, the clerk must provide the petitioner with two or more true copies of the PPO. The bill specifies that these copies would have to be provided at no cost to the petitioner. The bill also would require the clerk to inform the petitioner that the PPO, and the petition and notice of hearing if applicable, would have to be served immediately and at no charge to the petitioner by the designated law enforcement agency.

Finally, Section 2950a requires a PPO issued to be served personally or by registered or certified mail, return receipt requested, delivery restricted to the addressee at the last known address or addresses of the individual restrained or enjoined or by another manner allowed by Michigan court rules. Instead, under the bill, a PPO issued under Section 2950a would have to be issued as prescribed below.

Proposed PPO Service Requirements

Under the bill, a PPO issued under Sections 2950 or 2950a would have to be served personally, by registered or certified mail, return receipt requested, delivery restricted to the addressee at the last known address or addresses of the subject of the petition, or by any other method allowed by Michigan court rules.

If service were being made by a law enforcement agency, the PPO would have to be served personally. If the first attempt were unsuccessful, at least two additional attempts would have to be made within 10 calendar days after the first attempt. If service could not be completed within 10 calendar days after the first attempt, the law enforcement agency would have to do the following:

- Within 48 hours, notify the petitioner that service had not been successful.
- Within 3 business days, complete and file a proof of service form documenting each service attempt and stating the reason it was not served.
- Continue to attempt to complete service unless otherwise directed by the court; all attempts at service would have to be documented and maintained by the law enforcement agency and made available to the petitioner and the court on request.

If the individual restrained or enjoined by a PPO issued under Sections 2950 or 2950a were less than 18 years of age, the parent, guardian, or custodian of the individual also would have to be served personally or by registered or certified mail, return receipt requested, delivery restricted to the addressee at the last known address or addresses of the parent, guardian, or custodian.

To comply with 34 USC 10450, the law enforcement agency designated under Sections 2950 or 2950a to serve the PPO would have to immediately serve the PPO without charge to the petitioner.

If a new, amended, or extended PPO, or an order terminating a PPO, were entered after the original service, the clerk of the court would have to provide true copies of the order to the parties, if they were present, at the time the order was entered. A party could acknowledge receipt of the order in writing, on the record, or in any other manner allowed by the court rules. If a party failed or refused to acknowledge the receipt of a true copy of the order, the clerk would have to note in the case file that the party was served. If delivery to a party were not possible at the time the order was entered, the clerk would have to mail true copies of

the order to the party by first-class mail to the address on record with the court and would have to file a proof of service. Service by mail would be complete on mailing.

If the respondent were served with a PPO, any subsequent document filed in the action could be served on the respondent by first-class mail at the address provided by the respondent, except for a motion to show cause or an order to appear on a show cause motion.

Personal Protection Order Service Fund

The bill would create the Fund in the State Treasury and require the State Treasurer to deposit money and other assets received from State and Federal appropriations, public or private grants, or any other source in the Fund. The State Treasurer would have to direct the investment of money in the Fund and credit the Fund interest and earnings from investments.

The MSP would be the administrator of the Fund for auditing purposes. The MSP would have to spend money from the Fund on appropriation for the following:

- To provide for service by law enforcement agencies of court documents in proceedings for PPOs under Sections 2950 and 2950a and foreign protection orders under Section 2950I to assure compliance with Section 40121 of the Violence Against Women Act (34 USC 10450).
- To pay the costs of administering the Fund.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.