



STATE OF MICHIGAN  
COUNTY OF NEWAYGO  
BOARD OF COMMISSIONERS

At a regular session of the said Board held in the City of White Cloud, in said County,  
on the 8<sup>th</sup> day of January 2020, the following Resolution was adopted:

**RESOLUTION #01-001-20  
OPPOSING AUTOMATIC EXPUNGEMENT FOR  
CERTAIN FELONY & MISDEMEANOR OFFENSES**

**WHEREAS**, House Bill 4980 is under consideration in the Senate, which would provide for automatically setting aside (expunging) a conviction in certain criminal cases, among other things; and

**WHEREAS**, House Bill 4980 provides no method for implementation and has no language indicating that the State will be covering any costs that may be imposed on local court systems due to this process; and

**WHEREAS**, only Pennsylvania, Utah, and most recently, California, have taken steps that create an automated system. It is important to note that Pennsylvania and Utah are both centralized systems when it comes to court technology and computer systems; and

**WHEREAS**, the recent Trial Court Funding Commission Report submitted to the Legislature on September 6, 2019, identifies the states that are primarily state-funded court operations; Utah and California are primarily state-funded while Michigan courts rely only on 2.24% state general fund, after local remittances are deducted; and

**WHEREAS**, local monies are the primary source of funding for our nearly \$1.4 billion court system; and

**WHEREAS**, according to the House Fiscal Agency's Legislative Analysis, the judiciary impact of House Bill 4980 through 4985 "would have an indeterminate fiscal impact on the state and on local units of government. The fiscal impact could be significant and would depend on the system used for the automatic expungement process, the mechanism in place for data to be shared with all necessary agencies, and responsibility for maintaining the system or systems."; and

**BE IT FURTHER RESOLVED, that the** Newaygo County Board of Commissioners find that costs necessary to upgrade county technology to share data with State agencies will not be covered by the State and should not be imposed on the counties.

**BE IT FURTHER RESOLVED**, that the Newaygo County Board of Commissioners oppose House Bill 4980.

**FURTHER BE IT RESOLVED**, that copies of this resolution be provided to Governor Gretchen Whitmer, Senator Bumstead, Representative Van Singel, Representative Eric Leutheuser, and the Michigan Association of Counties

Motion by: DeLaat Supported by: Kruithoff to adopt the foregoing Resolution.

The Ayes being: Bird, Cooper, DeLaat, Kolk, Kruithoff, Maike, Trapp

Nays: None Absent: None

The Resolution was adopted January 8, 2020.



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Bryan Kolk, Chairman  
Newaygo County Board of Commissioners

STATE OF MICHIGAN )  
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COUNTY OF NEWAYGO)

I, Jason VanderStelt, County Clerk, do hereby certify that the foregoing is a true copy of a Resolution #01-001-20 adopted by the Newaygo County Board of Commissioners at a regular session held on the 8<sup>th</sup> day of January 2020.



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Jason VanderStelt, Newaygo County Clerk