



SENATE BILL No. 1082

July 3, 1996, Introduced by Senator A. SMITH and referred to the Committee on Judiciary.

A bill to amend section 6 of Act No. 250 of the Public Acts of 1990, entitled "DNA identification profiling system act," being section 28.176 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 6 of Act No. 250 of the Public Acts of
2 1990, being section 28.176 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 6. The department of state police shall permanently
5 retain a DNA identification profile obtained in the manner pre-
6 scribed by the department pursuant to this act from a sample
7 described in section 5. A DNA identification profile obtained
8 from the analysis of an individual's blood, saliva, or tissue in
9 the course of a criminal investigation or criminal prosecution,
10 that is in the possession of or forwarded to the department of

1 state police, shall be permanently retained by the department if
2 that individual is convicted of a violation or an attempted vio-
3 lation of section 520b, 520c, 520d, 520e, 520f, or 520g of the
4 Michigan penal code, Act No. 328 of the Public Acts of 1931,
5 being sections 750.520b, 750.520c, 750.520d, 750.520e, 750.520f,
6 and 750.520g of the Michigan Compiled Laws. ~~Any other DNA iden-~~
7 ~~tification profile obtained by the department shall not be per-~~
8 ~~manently retained by the department but shall be retained~~ THE
9 DEPARTMENT MAY RETAIN A DNA IDENTIFICATION PROFILE, OTHER THAN A
10 DNA IDENTIFICATION PROFILE DESCRIBED IN SUBSECTION (1), only as
11 long as it is needed for a criminal investigation or criminal
12 prosecution. IN ALL OTHER CASES, THE DEPARTMENT SHALL PROMPTLY
13 DESTROY THAT DNA IDENTIFICATION PROFILE, ALL RECORDS OF THAT DNA
14 IDENTIFICATION PROFILE, AND ALL SAMPLES FROM WHICH THAT DNA IDEN-
15 TIFICATION PROFILE WAS OBTAINED.