

HOUSE BILL No. 4355

February 19, 1997, Introduced by Reps. Owen, Nye, Baade, Cherry, Mans, Tesanovich, Jelinek, McBryde, Goschka, Raczkowski, Kaza, Dobronski, Bogardus, Bodem, Jaye, Galloway and Perricone and referred to the Committee on Judiciary.

A bill to amend 1925 PA 289, entitled

"An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act,"

by amending section 1a (MCL 28.241a), as amended by 1996 PA 259.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1a. As used in this act:

2 (a) "Commanding officer" means the department of state
3 police employee in charge of the central records division.

4 (b) "Criminal history record information" means name; date
5 of birth; fingerprints; photographs, if available; personal
6 descriptions, including physical measurements, identifying marks,
7 scars, amputations, and tattoos; aliases and prior names; social
8 security and driver's license numbers and other identifying

1 numbers; and information on misdemeanor convictions and felony
2 arrests and convictions.

3 (c) "Division" means the central records division of the
4 department of state police.

5 (d) "Felony" means a violation of a penal law of this state
6 for which the offender may be punished by imprisonment for more
7 than 1 year or an offense expressly designated by law to be a
8 felony.

9 (e) "Juvenile history record information" means name; date
10 of birth; fingerprints; photographs, if available; personal
11 descriptions, including physical measurements, identifying marks,
12 scars, amputations, and tattoos; aliases and prior names; social
13 security and driver's license numbers and other identifying num-
14 bers; and information on juvenile offense arrests and
15 adjudications.

16 (f) "Juvenile offense" means an offense committed by a juve-
17 nile that, if committed by an adult, would be a violation or an
18 attempted violation of section 72, 83, 84, 86, 88, 89, 91, 110,
19 ~~110a(2)~~ 110A, 186a, 316, 317, 349, 360, 413, 520b, 520c, 520d,
20 520g, 529, 529a, 530, or 531 of the Michigan penal code, ~~Act~~
21 ~~No. 328 of the Public Acts of 1931, being sections~~ 1931 PA 328,
22 MCL 750.72, 750.83, 750.84, 750.86, 750.88, 750.89, 750.91,
23 750.110, 750.110a, 750.186a, 750.316, 750.317, 750.349, 750.360,
24 750.413, 750.520b, 750.520c, 750.520d, 750.520g, 750.529,
25 750.529a, 750.530, and 750.531, ~~of the Michigan Compiled Laws,~~
26 or section 7401(2)(a)(i) or 7403(2)(a)(i) of the public health
27 code, ~~Act No. 368 of the Public Acts of 1978, being sections~~

1 ~~333.7401 and 333.7403 of the Michigan Compiled Laws~~ 1978 PA 368,
2 MCL 333.7401 AND 333.7403.

3 (g) "Misdemeanor" means either of the following:

4 (i) A violation of a penal law of this state that is not a
5 felony or a violation of an order, rule, or regulation of a state
6 agency that is punishable by imprisonment or a fine that is not a
7 civil fine.

8 (ii) A violation of a local ordinance that substantially
9 corresponds to state law DESCRIBED IN SUBPARAGRAPH (i).