

Act No. 522  
Public Acts of 1998  
Approved by the Governor  
January 12, 1999  
Filed with the Secretary of State  
January 12, 1999  
EFFECTIVE DATE: January 12, 1999

STATE OF MICHIGAN  
89TH LEGISLATURE  
REGULAR SESSION OF 1998

**Introduced by Senator Bullard**

# **ENROLLED SENATE BILL No. 1190**

AN ACT to amend 1990 PA 250, entitled "An act to provide for a DNA identification profiling system; to provide for the collection of samples from certain prisoners, convicted offenders, and juvenile offenders and the analysis of those samples; and to prescribe the powers and duties of certain state departments," by amending the title and section 3 (MCL 28.173), as amended by 1996 PA 508.

*The People of the State of Michigan enact:*

## TITLE

An act to provide for a DNA identification profiling system; to provide for the collection of samples from certain prisoners, convicted offenders, and juvenile offenders and the analysis of those samples; and to prescribe the powers and duties of certain state departments and county agencies.

Sec. 3. The department shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to implement this act, including, but not limited to, rules governing all of the following:

(a) The method of collecting samples in a medically approved manner by qualified persons and the types and number of samples to be collected by the following:

(i) The department of corrections from certain prisoners under section 33d of 1953 PA 232, MCL 791.233d.

(ii) Law enforcement agencies from certain convicted offenders under section 520m of the Michigan penal code, 1931 PA 328, MCL 750.520m, or certain juveniles under section 18k of chapter XIIA of 1939 PA 288, MCL 712A.18k.

(iii) The family independence agency or a county juvenile agency, as applicable, from certain juveniles under section 7a of the youth rehabilitation services act, 1974 PA 150, MCL 803.307a, or section 5a of the juvenile facilities act, 1988 PA 73, MCL 803.225a. As used in this subparagraph, "county juvenile agency" means that term as defined in section 2 of the county juvenile agency act.

(b) Distributing blood specimen vials, mailing tubes, and labels and instructions for collecting samples.

(c) Storing and transmitting to the department the samples described in subdivision (a).

(d) The DNA identification or genetic marker profiling of samples described in subdivision (a).

(e) The development, in cooperation with the federal bureau of investigation and other appropriate persons, of a system of filing, cataloging, retrieving, and comparing DNA identification profiles and computerizing this system.

(f) Protecting the privacy interests of individuals whose samples are analyzed under this act.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

- (a) Senate Bill No. 1183.
- (b) Senate Bill No. 1184.
- (c) Senate Bill No. 1185.
- (d) Senate Bill No. 1186.
- (e) Senate Bill No. 1187.
- (f) Senate Bill No. 1196.
- (g) Senate Bill No. 1197.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

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Secretary of the Senate.

*Maya Bullard*

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Clerk of the House of Representatives.

Approved -----

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Governor.