

**SUBSTITUTE FOR
SENATE BILL NO. 394**

A bill to amend 1974 PA 150, entitled
"Youth rehabilitation services act,"
by amending section 7a (MCL 803.307a), as amended by 1998
PA 517.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7a. (1) A public ward under a youth agency's jurisdic-
2 tion for a violation of section 83, 91, 316, ~~or~~ 317, OR 321 of
3 the Michigan penal code, 1931 PA 328, MCL 750.83, 750.91,
4 750.316, ~~and~~ 750.317, AND 750.321, or a violation or attempted
5 violation of section 349, 520b, 520c, 520d, 520e, or 520g of the
6 Michigan penal code, 1931 PA 328, MCL 750.349, 750.520b,
7 750.520c, 750.520d, 750.520e, and 750.520g, shall not be placed
8 in a community placement of any kind and shall not be discharged
9 from wardship until he or she has provided samples for chemical
10 testing for DNA identification profiling or a determination of

SB 394, As Passed Senate, May 3, 2001

Senate Bill No. 394

2

1 the sample's genetic markers and has provided samples for a
2 determination of his or her secretor status. However, if at the
3 time the public ward is to be discharged from public wardship the
4 department of state police already has a sample from the public
5 ward that meets the requirements of the rules promulgated under
6 the DNA identification profiling system act, 1990 PA 250,
7 MCL 28.171 to 28.176, the public ward is not required to provide
8 another sample.

9 (2) The samples required to be collected under this section
10 shall be collected by the youth agency and transmitted to the
11 department of state police in the manner prescribed by rules
12 promulgated under the DNA identification profiling system act,
13 1990 PA 250, MCL 28.171 to 28.176.

14 (3) The youth agency may collect a sample under this section
15 regardless of whether the public ward consents to the
16 collection. The youth agency is not required to give the public
17 ward an opportunity for a hearing or obtain a court order before
18 collecting the sample.

19 (4) As used in this section, "sample" means a portion of a
20 public ward's blood, saliva, or tissue collected from the public
21 ward.

22 Enacting section 1. This amendatory act takes effect
23 October 1, 2001.

24 Enacting section 2. This amendatory act does not take
25 effect unless all of the following bills of the 91st Legislature
26 are enacted into law:

SB 394, As Passed Senate, May 3, 2001

Senate Bill No. 394

3

- 1 (a) Senate Bill No. 389.
- 2 (b) Senate Bill No. 390.
- 3 (c) Senate Bill No. 391.
- 4 (d) Senate Bill No. 392.
- 5 (e) Senate Bill No. 393.