

HOUSE BILL No. 4640

April 20, 2005, Introduced by Reps. Virgil Smith and Cushingberry and referred to the Committee on Judiciary.

A bill to amend 1953 PA 232, entitled
"Corrections code of 1953,"
(MCL 791.201 to 791.283) by adding section 37a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 37A. (1) BEFORE A PRISONER IS RELEASED ON PAROLE OR
2 DISCHARGED WITHOUT BEING PAROLED, THE PRISONER SHALL UNDERGO A TEST
3 FOR HIV OR AN ANTIBODY TO HIV, AND A TEST TO DETERMINE IF THE
4 PRISONER IS INFECTED WITH HEPATITIS C. THE TESTS SHALL OCCUR NOT
5 EARLIER THAN 60 DAYS BEFORE THE PRISONER IS PAROLED OR DISCHARGED.

6 (2) THE DEPARTMENT SHALL REPORT EACH POSITIVE TEST RESULT FOR
7 HIV OR AN ANTIBODY TO HIV TO THE DEPARTMENT OF COMMUNITY HEALTH, IN
8 COMPLIANCE WITH SECTION 5114 OF THE PUBLIC HEALTH CODE, 1978 PA
9 368, MCL 333.5114. AS USED IN THIS SUBSECTION, "HIV" AND "POSITIVE

1 TEST RESULT" MEAN THOSE TERMS AS DEFINED IN SECTION 67.

2 (3) THE DEPARTMENT SHALL REPORT EACH INCIDENCE OF HEPATITIS C
3 TO THE DEPARTMENT OF COMMUNITY HEALTH PURSUANT TO RULES PROMULGATED
4 UNDER SECTION 5111 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL
5 333.5111.