

HOUSE BILL No. 4895

June 8, 2005, Introduced by Reps. Meyer and Schuitmaker and referred to the Committee on Judiciary.

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending section 4 (MCL 28.214), as amended by 2000 PA 320.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 4. (1) The council shall do all of the following:
- 2 (a) Establish policy and promulgate rules regarding the
- 3 operational procedures to be followed by agencies using the law
- 4 enforcement information network. The policy and rules shall do all
- 5 of the following:
- 6 (i) Ensure access to locator information obtained through the
- 7 law enforcement information network by state and federal agencies
- 8 and the friend of the court for enforcement of child support
- 9 programs as provided under state and federal law.

1 (ii) Ensure access to information of an individual being
2 investigated by a state or county employee who is engaged in the
3 enforcement of the child protection laws or rules of this state.

4 (iii) Authorize a fire chief of an organized fire department or
5 his or her designee to request and receive information obtained
6 through the law enforcement information network by a law
7 enforcement agency for the following purposes:

8 (A) A preemployment criminal convictions history.

9 (B) A preemployment driving record.

10 (C) Vehicle registration information for vehicles involved in
11 a fire or hazardous materials incident.

12 (iv) Authorize a public or private school superintendent,
13 principal, or assistant principal to receive vehicle registration
14 information, of a vehicle within 1,000 feet of school property,
15 obtained through the law enforcement information network by a law
16 enforcement agency.

17 (b) Review applications for network terminals and approve or
18 disapprove the applications and the sites for terminal
19 installations. If an application is disapproved, the applicant
20 shall be notified in writing of the reasons for disapproval.

21 (c) Establish minimum standards for terminal sites and
22 installation.

23 **(2) THE COUNCIL SHALL NOT ESTABLISH A LIMIT ON THE TOTAL**
24 **AMOUNT OF AGENCY FEES CHARGED TO AGENCIES USING THE LAW ENFORCEMENT**
25 **INFORMATION NETWORK WITHIN A SINGLE COUNTY OR CITY. AS USED IN THIS**
26 **SUBSECTION, "AGENCY FEES" MEANS THE BASIC CHARGE ASSESSED TO**
27 **AGENCIES FOR ACCESS TO THE LAW ENFORCEMENT INFORMATION NETWORK.**

1 (3) ~~-(2)-~~ A person shall not disclose information from the law
2 enforcement information network to a private entity for any
3 purpose, including, but not limited to, the enforcement of child
4 support programs.

5 (4) ~~-(3)-~~ A person shall not disclose information from the law
6 enforcement information network in a manner that is not authorized
7 by law or rule.

8 (5) ~~-(4)-~~ A person who violates subsection ~~-(2)-or-~~ (3) **OR (4)**
9 is:

10 (a) For a first offense, guilty of a misdemeanor punishable by
11 imprisonment for not more than 90 days or a fine of not more than
12 \$500.00, or both.

13 (b) For a second or subsequent offense, guilty of a felony
14 punishable by imprisonment for not more than 4 years or a fine of
15 not more than \$2,000.00, or both.