



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 1056 (as reported without amendment)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend the fingerprinting law to do the following:

- Refer to the collection of "biometric data", rather than the taking of fingerprint impressions, throughout the law.
- Require biometric data to be collected for a misdemeanor for which DNA collection is authorized, in addition to the other offenses described in the law.
- Require the Michigan Department of State Police (MSP) to procure and file criminal history information for all people arrested, rather than convicted, within Michigan.

The bill would define "biometric data" as all of the following:

- Fingerprint images recorded in a manner prescribed by the MSP.
- Palm print images, if the arresting law enforcement agency has the electronic capability to record them in a manner prescribed by the MSP.
- Digital images recorded during the arrest or booking process, including full-face capture, left and right profile, and scars, marks, and tattoos, if the arresting agency has the electronic capability to record the images in a manner prescribed by the MSP.
- All descriptive data associated with identifying marks, scars, amputations, and tattoos.

The bill would delete the law's definition of "fingerprint impressions", which means images recorded in a manner prescribed by the MSP.

MCL 28.241a et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. The bill would put into statute what has been law enforcement practice for the last several years by most agencies in the State: the forwarding of certain palm print images and digital images along with fingerprint images as part of a "biometric" package to the Department of State Police for analysis and inclusion in the State criminal records information system. While there are eight counties in the State (Alpena, Arenac, Baraga, Houghton, Luce, Montmorency, Otsego, and St. Joseph) that do not yet take and submit palm prints to the State Police, "biometric data" within the bill is defined to include palm print images (and digital images) for only those agencies with the capability of recording them.

The bill would codify current practice by requiring the MSP to procure and file criminal history information upon arrest.

Date Completed: 5-16-12

Fiscal Analyst: Bruce Baker