

HOUSE BILL No. 4948

September 4, 2013, Introduced by Rep. Haveman and referred to the Committee on Criminal Justice.

A bill to amend 1925 PA 289, entitled

"An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act,"

by amending section 2a (MCL 28.242a), as amended by 2012 PA 374.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2a. (1) ~~Except as provided in subsection (2), all~~ **ALL**
2 criminal history record information that is associated with a state
3 identification number and is supported by biometric data shall be
4 disseminated in response to **EITHER** a fingerprint-based **SEARCH** or **A**
5 name-based search of the criminal history record information
6 database. **THIS SUBSECTION DOES NOT ALLOW THE DISSEMINATION OF**
7 **CRIMINAL HISTORY RECORD INFORMATION THAT IS NONPUBLIC OR IS**

1 PROHIBITED BY LAW FROM BEING DISSEMINATED.

2 ~~—— (2) Subsection (1) does not require the dissemination of~~
3 ~~criminal history record information that is nonpublic or is~~
4 ~~prohibited by law from being disseminated.~~

5 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), ALL JUVENILE HISTORY
6 RECORD INFORMATION THAT IS ASSOCIATED WITH A STATE IDENTIFICATION
7 NUMBER AND IS SUPPORTED BY BIOMETRIC DATA SHALL BE DISSEMINATED IN
8 RESPONSE ONLY TO A FINGERPRINT-BASED SEARCH OF THE CRIMINAL HISTORY
9 RECORD INFORMATION DATABASE. THIS SUBSECTION DOES NOT ALLOW THE
10 DISSEMINATION OF JUVENILE HISTORY RECORD INFORMATION THAT IS
11 NONPUBLIC OR IS PROHIBITED BY LAW FROM BEING DISSEMINATED.

12 (3) ALL JUVENILE HISTORY RECORD INFORMATION THAT IS ASSOCIATED
13 WITH A STATE IDENTIFICATION NUMBER AND THAT IS SUPPORTED BY
14 BIOMETRIC DATA SHALL BE DISSEMINATED IN RESPONSE TO EITHER A NAME-
15 BASED OR A FINGERPRINT-BASED SEARCH OF THE CRIMINAL HISTORY RECORD
16 INFORMATION DATABASE THROUGH THE LAW ENFORCEMENT INFORMATION
17 NETWORK SOLELY TO A PERSON OR ENTITY AUTHORIZED TO RECEIVE ACCESS
18 TO JUVENILE HISTORY RECORD INFORMATION ON THE EFFECTIVE DATE OF THE
19 AMENDATORY ACT THAT ADDED THIS SUBSECTION, INCLUDING AS PROVIDED
20 UNDER R 28.5201 OF THE MICHIGAN ADMINISTRATIVE CODE. THIS
21 SUBSECTION DOES NOT ALLOW THE DISSEMINATION OF JUVENILE HISTORY
22 RECORD INFORMATION THAT IS PROHIBITED BY LAW FROM BEING
23 DISSEMINATED.