

# HOUSE BILL No. 5384

March 4, 2014, Introduced by Reps. Lauwers, Cotter, Graves, Kurtz, Lori, Daley, Victory, Callton, Johnson, LaFontaine, Rutledge, Clemente, LaVoy, Schor, Muxlow and Rendon and referred to the Committee on Judiciary.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
(MCL 257.1 to 257.923) by adding section 625j.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 625J. (1) IF IT APPEARS FROM THE RESULTS OF A PRELIMINARY  
2 CHEMICAL ANALYSIS ADMINISTERED UNDER SECTION 625G THAT A CONTROLLED  
3 SUBSTANCE IS PRESENT IN THE PERSON'S BODY, THE PEACE OFFICER WHO  
4 ADMINISTERED THE PRELIMINARY CHEMICAL ANALYSIS SHALL WITHIN 72  
5 HOURS ENTER THAT INFORMATION INTO LEIN, INDICATING THAT A  
6 SUBSEQUENT CHEMICAL TEST IS PENDING.

7           (2) IF THE RESULTS OF A SUBSEQUENT CHEMICAL TEST ADMINISTERED  
8 UNDER SECTION 625A(6) TO A PERSON DESCRIBED IN SUBSECTION (1)  
9 REVEAL THE ABSENCE OF A CONTROLLED SUBSTANCE IN THE PERSON'S BODY,  
10 THE PEACE OFFICER SHALL REMOVE THE INFORMATION ENTERED INTO LEIN

1 UNDER SUBSECTION (1) FROM THE LAW ENFORCEMENT INFORMATION NETWORK.

2 (3) AS USED IN THIS SECTION, "LEIN" MEANS THE LAW ENFORCEMENT  
3 INFORMATION NETWORK REGULATED UNDER THE C.J.I.S. POLICY COUNCIL  
4 ACT, 1974 PA 163, MCL 28.211 TO 28.215, OR THE DEPARTMENT OF STATE  
5 POLICE.

6 Enacting section 1. This amendatory act does not take effect  
7 unless Senate Bill No.\_\_\_\_ or House Bill No. 5385 (request no.  
8 03522'13) of the 97th Legislature is enacted into law.