



# HOUSE BILL No. 4043

January 11, 1995, Introduced by Reps. Hammerstrom, Llewellyn, Dalman, Crissman, Rhead, Walberg, Fitzgerald and Bullard and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 1a of Act No. 289 of the Public Acts of 1925, entitled as amended

"An act to create a bureau of criminal identification and records 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 for violation of this act,"

as amended by Act No. 196 of the Public Acts of 1994, being section 28.241a of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 1a of Act No. 289 of the Public Acts of  
2 1925, as amended by Act No. 196 of the Public Acts of 1994, being  
3 section 28.241a of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 1a. As used in this act:

1 (a) "Commanding officer" means the department of state  
2 police employee in charge of the central records division.

3 (b) "Criminal history record information" means name; date  
4 of birth; fingerprints; photographs, if available; personal  
5 descriptions, including physical measurements, identifying marks,  
6 scars, amputations, and tattoos; aliases and prior names; social  
7 security and driver's license numbers and other identifying num-  
8 bers; and information on misdemeanor convictions and felony  
9 arrests and convictions.

10 (c) "Division" means the central records division of the  
11 department of state police.

12 (d) "Felony" means a violation of a penal law of this state  
13 for which the offender may be punished by imprisonment for more  
14 than 1 year or an offense expressly designated by law to be a  
15 felony.

16 (e) "Juvenile history record information" means name; date  
17 of birth; fingerprints; photographs, if available; personal  
18 descriptions, including physical measurements, identifying marks,  
19 scars, amputations, and tattoos; aliases and prior names; social  
20 security and driver's license numbers and other identifying num-  
21 bers; and information on juvenile offense arrests and  
22 adjudications.

23 (f) "Juvenile offense" means an offense committed by a juve-  
24 nile that, if committed by an adult, would be a violation or an  
25 attempted violation of section 72, 83, 84, 88, 89, 91, 110,  
26 110A(2), 316, 317, 349, 360, 413, 520b, 520c, 520d, 520g, 529,  
27 529a, or 530 of the Michigan penal code, Act No. 328 of the

1 Public Acts of 1931, being sections 750.72, 750.83, 750.84,  
 2 750.88, 750.89, 750.91, 750.110, 750.110A, 750.316, 750.317,  
 3 750.349, 750.360, 750.413, 750.520b, 750.520c, 750.520d,  
 4 750.520g, 750.529, 750.529a, and 750.530 of the Michigan Compiled  
 5 Laws, or section 7401(2)(a)(i) or 7403(2)(a)(i) of the public  
 6 health code, Act No. 368 of the Public Acts of 1978, being sec-  
 7 tions 333.7401 and 333.7403 of the Michigan Compiled Laws.

8 (g) "Misdemeanor" means either of the following:

9 (i) A violation of a penal law of this state that is not a  
 10 felony or a violation of an order, rule, or regulation of a state  
 11 agency that is punishable by imprisonment or a fine that is not a  
 12 civil fine.

13 (ii) A violation of a local ordinance that substantially  
 14 corresponds to state law.

15 Section 2. This amendatory act shall not take effect unless  
 16 all of the following bills of the 88th Legislature are enacted  
 17 into law:

18 (a) Senate Bill No. \_\_\_\_ or House Bill No. 4039 (request  
 19 no. 01934'95).

20 (b) Senate Bill No. \_\_\_\_ or House Bill No. 4040 (request  
 21 no. 01934'95 a).

22 (c) Senate Bill No. \_\_\_\_ or House Bill No. 4041 (request  
 23 no. 01934'95 b).

24 (d) Senate Bill No. \_\_\_\_ or House Bill No. 4042 (request  
 25 no. 01934'95 c).

26 (e) Senate Bill No. \_\_\_\_ or House Bill No. 4044 (request  
 27 no. 01934'95 e).