

SENATE BILL NO. 398

March 2, 1999, Introduced by Senator JAYE and referred to the
Committee on Hunting, Fishing and Forestry.

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 1998 PA 459.

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
- 5 all of the following:
- 6 (i) Ensure access to locator information obtained through
- 7 the law enforcement information network by state and federal
- 8 agencies and the friend of the court for enforcement of child
- 9 support 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) ENSURE ACCESS TO INFORMATION ON WARNINGS AND DETERMI-
5 NATIONS OF RESPONSIBILITY FOR STATE CIVIL INFRACTIONS UNDER SEC-
6 TION 46510 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
7 ACT, 1994 PA 451, MCL 324.46510. THE COUNCIL SHALL SUBMIT PRO-
8 POSED RULES UNDER THIS SUBPARAGRAPH FOR PUBLIC HEARING PURSUANT
9 TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL
10 24.201 TO 24.328, WITHIN 6 MONTHS AFTER THE EFFECTIVE DATE OF THE
11 AMENDATORY ACT THAT ADDED THIS SUBPARAGRAPH.

12 (iv) ~~(iii)~~ Authorize a fire chief of an organized fire
13 department or his or her designee to request and receive informa-
14 tion obtained through the law enforcement information network by
15 a law enforcement agency for the following purposes:

16 (A) A preemployment criminal convictions history.

17 (B) A preemployment driving record.

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

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

24 (c) Establish minimum standards for terminal sites and
25 installation.

26 (2) A person shall not disclose information from the law
27 enforcement information network to a private entity for any

1 purpose, including, but not limited to, the enforcement of child
2 support programs.

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

6 (4) A person who violates subsection (2) or (3) is:

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

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

13 Enacting section 1. This amendatory act does not take
14 effect unless Senate Bill No. 399
15 of the 90th Legislature is enacted into
16 law.