

HOUSE BILL No. 5430

November 10, 2005, Introduced by Rep. Stakoe and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 1 to chapter XVI.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVI

SEC. 1. (1) IF BLOOD IS WITHDRAWN BY A HOSPITAL LICENSED UNDER
ARTICLE 17 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.20101 TO
333.22260, PURSUANT TO A WARRANT ISSUED TO OBTAIN EVIDENCE IN A
CRIMINAL PROCEEDING, THE HOSPITAL SHALL NOT CHARGE MORE THAN THE
ACTUAL AND REASONABLE COSTS FOR WITHDRAWING THE BLOOD AND PROVIDING
IT TO THE REQUESTING AGENCY.

(2) SUBSECTION (1) DOES NOT APPLY IF THE WITHDRAWAL OF BLOOD
IS MADE PURSUANT TO A CONTRACT.

1 (3) THIS SECTION DOES NOT PROHIBIT THE COURT FROM ORDERING THE
2 DEFENDANT TO PAY THE COSTS DESCRIBED IN SUBSECTION (1) OR (2).

3 Enacting section 1. This amendatory act does not take effect
4 unless Senate Bill No.____ or House Bill No. 5431(request no.
5 01051'05 a) of the 93rd Legislature is enacted into law.