

HOUSE BILL No. 5586

February 15, 2018, Introduced by Rep. Kahle and referred to the Committee on Law and Justice.

A bill to amend 1966 PA 189, entitled

"An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,"

by amending section 2a (MCL 780.652a), as added by 1996 PA 186.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2a. (1) If the court has probable cause to believe that
2 an individual violated section 520b(1) (b) (ii) or (h) (i),
3 520c(1) (b) (ii) or (h) (i), **OR** 520d(1) (d) ~~, or 520e(1) (g)~~ of the
4 Michigan penal code, ~~Act No. 328 of the Public Acts of 1931, being~~
5 ~~sections 750.520b, 750.520c, 750.520d, and 750.520e of the Michigan~~
6 ~~Compiled Laws, 1931 PA 328, MCL 750.520B, 750.520C, AND 750.520D,~~
7 the court shall, upon proper petition for a search warrant,
8 authorize the search and seizure of hair or tissue, or blood or
9 other fluid samples from all of the following:

1 (a) Any individual whom the court has probable cause to
2 believe committed that violation.

3 (b) If the court has probable cause to believe that the
4 violation resulted in the birth of a child, that child.

5 (c) If the court has probable cause to believe that the
6 violation resulted in a pregnancy that was terminated before the
7 birth of a child, the remains of that unborn child.

8 (2) This section does not prohibit the court from issuing a
9 search warrant for other evidence as considered appropriate by the
10 court.

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.

13 Enacting section 2. This amendatory act does not take effect
14 unless Senate Bill No. ____ or House Bill No. 5585 (request no.
15 02981'17) of the 99th Legislature is enacted into law.