

\*\*\*\*\* Act 120 of 1935 THIS TITLE, BEGINNING WITH THE FIRST INSTANCE OF "AN ACT", IS AMENDED EFFECTIVE OCTOBER 1, 2015; THIS AMENDED TITLE, BEGINNING WITH THE SECOND INSTANCE OF "AN ACT", IS EFFECTIVE OCTOBER 1, 2015 \*\*\*\*\*

**FINGERPRINTING RESIDENTS OF STATE**  
**Act 120 of 1935**

AN ACT to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police. AN ACT to prescribe a method for the fingerprinting of residents of the state; to provide for the recording and filing of the fingerprints by the central records division of the department of state police; and to impose a fee.

**History:** 1935, Act 120, Eff. Sept. 21, 1935;—Am. 1985, Act 175, Imd. Eff. Dec. 2, 1985;—Am. 2015, Act 71, Eff. Oct. 1, 2015.

*The People of the State of Michigan enact:*

**28.271 Request for impression of fingerprints; copies; exception.**

Sec. 1. Except as provided in section 4 of the child identification and protection act, when a resident of this state appears before any sheriff or police agency for the county in which he or she resides, and requests an impression of his or her fingerprints, the agency shall comply with the request and make at least 2 copies of the impression, 1 for the files of the local police and the other to be forwarded to the central records division of the department of state police.

**History:** 1935, Act 120, Eff. Sept. 21, 1935;—CL 1948, 28.271;—Am. 1985, Act 175, Imd. Eff. Dec. 2, 1985.

**28.272 Filing system; purpose; equipment and supplies.**

Sec. 2. The central records division of the department of state police shall install and maintain a filing system for the purpose of recording and preserving the various impressions received by it by virtue of the terms of this act, the filing system to be distinguished from the system now employed by the division for the recording and preserving of fingerprints of criminals. The equipment and supplies for the proper carrying out of this act shall be furnished by the department of state police.

**History:** 1935, Act 120, Eff. Sept. 21, 1935;—Am. 1943, Act 170, Imd. Eff. Apr. 17, 1943;—CL 1948, 28.272;—Am. 1985, Act 175, Imd. Eff. Dec. 2, 1985.

\*\*\*\*\* 28.273 THIS SECTION IS AMENDED EFFECTIVE OCTOBER 1, 2015: See 28.273.amended \*\*\*\*\*

**28.273 Fingerprinting and criminal record check; fee; report.**

Sec. 3. (1) Until October 1, 2015, the department of state police may charge a fee, not to exceed \$30.00, for taking and processing the fingerprints and completing a criminal record check of a resident of this state when the impression of the fingerprints are requested for employment-related or licensing-related purposes. A fee shall not be collected under this subsection if a fee for taking and processing fingerprints is collected under any other law. The fee shall not exceed the actual cost of taking and processing the impression of the fingerprints and completing a criminal record check on that person. The fee shall be collected and forwarded to the state police by the licensing body or the employer.

(2) The department of state police shall submit a written report to the secretary of the senate and the clerk of the house of representatives by October 1 of each year stating whether the fee charged under subsection (1) is sufficient to support the actual costs of fingerprinting and what the actual costs of fingerprinting are.

(3) Until October 1, 2015, the department of state police may charge a fee of \$10.00 for processing and completing a name-based criminal record check. However, a fee shall not be charged under this subsection if a fee for processing the name-based criminal record check is charged under any other law or if the requester is a government agency or nonprofit charitable agency performing employment or volunteer employment name-based background checks through the internet criminal history access tool (ICHAT).

**History:** Add. 1985, Act 175, Imd. Eff. Dec. 2, 1985;—Am. 2002, Act 463, Imd. Eff. June 21, 2002;—Am. 2004, Act 359, Imd. Eff. Sept. 30, 2004;—Am. 2007, Act 76, Imd. Eff. Sept. 30, 2007;—Am. 2010, Act 178, Eff. Oct. 1, 2010;—Am. 2012, Act 318, Imd. Eff. Oct. 1, 2012.

\*\*\*\*\* 28.273.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2015 \*\*\*\*\*

**28.273.amended Fingerprinting and criminal record check; fee.**

Sec. 3. (1) Until October 1, 2019, the department of state police may charge a fee, not to exceed \$30.00, for taking and processing the fingerprints and completing a criminal record check of a resident of this state

when the impression of the fingerprints are requested for employment-related or licensing-related purposes. A fee shall not be collected under this subsection if a fee for taking and processing fingerprints is collected under any other law. The fee shall not exceed the actual cost of taking and processing the impression of the fingerprints and completing a criminal record check on that person. The fee shall be collected and forwarded to the state police by the licensing body or the employer.

(2) Until October 1, 2019, the department of state police may charge a fee of \$10.00 for processing and completing a name-based criminal record check. However, a fee shall not be charged under this subsection if a fee for processing the name-based criminal record check is charged under any other law or if the requester is a government agency or nonprofit charitable agency performing employment or volunteer employment name-based background checks through the internet criminal history access tool (ICHAT).

**History:** Add. 1985, Act 175, Imd. Eff. Dec. 2, 1985;—Am. 2002, Act 463, Imd. Eff. June 21, 2002;—Am. 2004, Act 359, Imd. Eff. Sept. 30, 2004;—Am. 2007, Act 76, Imd. Eff. Sept. 30, 2007;—Am. 2010, Act 178, Eff. Oct. 1, 2010;—Am. 2012, Act 318, Imd. Eff. Oct. 1, 2012;—Am. 2015, Act 71, Eff. Oct. 1, 2015.

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