



# SENATE BILL No. 763

November 28, 1995, Introduced by Senators CONROY, DINGELL, NORTH, HOFFMAN, YOUNG, BERRYMAN, KOIVISTO, BYRUM, DE BEAUSSAERT, HART and CHERRY and referred to the Committee on Judiciary.

A bill to amend Act No. 189 of the Public Acts of 1966, 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,"

as amended, being sections 780.651 to 780.659 of the Michigan Compiled Laws, by adding section 2a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 189 of the Public Acts of 1966, as  
2 amended, being sections 780.651 to 780.659 of the Michigan  
3 Compiled Laws, is amended by adding section 2a to read as  
4 follows:

5 SEC. 2A. (1) IF THE COURT HAS PROBABLE CAUSE TO BELIEVE  
6 THAT AN INDIVIDUAL COMMITTED INCEST IN VIOLATION OF SECTION 520B  
7 OR 520C OF THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC  
8 ACTS OF 1931, BEING SECTIONS 750.520B AND 750.520C OF THE

1 MICHIGAN COMPILED LAWS, THE COURT SHALL, UPON PROPER PETITION FOR  
2 A SEARCH WARRANT, AUTHORIZE THE SEARCH AND SEIZURE OF BLOOD OR  
3 OTHER FLUID OR TISSUE SAMPLES FROM ALL OF THE FOLLOWING:

4 (A) ANY INDIVIDUAL WHOM THE COURT HAS PROBABLE CAUSE TO  
5 BELIEVE COMMITTED THAT INCEST.

6 (B) IF THE COURT HAS PROBABLE CAUSE TO BELIEVE THAT THE  
7 INCEST RESULTED IN THE BIRTH OF A CHILD, THAT CHILD.

8 (C) IF THE COURT HAS PROBABLE CAUSE TO BELIEVE THAT THE  
9 INCEST RESULTED IN PREGNANCY THAT WAS TERMINATED BEFORE THE BIRTH  
10 OF A CHILD, THE REMAINS OF THAT UNBORN CHILD.

11 (2) THIS SECTION DOES NOT PROHIBIT THE COURT FROM ISSUING A  
12 SEARCH WARRANT FOR OTHER EVIDENCE AS CONSIDERED APPROPRIATE BY  
13 THE COURT.

14 Section 2. This amendatory act shall not take effect unless  
15 Senate Bill No. 762

16 of the 88th Legislature is enacted into law.