

HOUSE BILL No. 4440

March 23, 1999, Introduced by Reps. Julian, Stamas, Gosselin, Sheltroun, Howell, Pappageorge, Faunce, Van Woerkom, Gilbert, Tabor, Toy, Law and Vear and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 1996 PA 508.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. The department shall permanently retain a DNA iden-
2 tification profile of an individual obtained from a sample in the
3 manner prescribed by the department under this act if that indi-
4 vidual is convicted of or found responsible for a violation of
5 section 91, 316, or 317 of the Michigan penal code, ~~Act No. 328~~
6 ~~of the Public Acts of 1931, being sections 750.91, 750.316, and~~
7 ~~750.317 of the Michigan Compiled Laws~~ 1931 PA 328, MCL 750.91,
8 750.316, AND 750.317, or a violation or attempted violation of
9 section 349, 520b, 520c, 520d, 520e, or 520g of ~~Act No. 328 of~~
10 ~~the Public Acts of 1931, being sections 750.349, 750.520b,~~
11 ~~750.520c, 750.520d, 750.520e, and 750.520g of the Michigan~~

1 ~~Compiled Laws. Any other DNA identification profile obtained by~~
2 ~~the department shall not be permanently retained by the depart-~~
3 ~~ment but shall be retained only as long as it is needed for a~~
4 ~~criminal investigation or criminal prosecution.~~ 1931 PA 328, MCL
5 750.349, 750.520B, 750.520C, 750.520D, 750.520E, AND 750.520G,
6 OR, IN THE CASE OF AN INDIVIDUAL CONVICTED OF ANY OTHER FELONY,
7 IF THE COURT REQUIRES THAT A SAMPLE FOR CHEMICAL TESTING BE
8 OBTAINED FROM THE PERSON FOR PURPOSES OF OBTAINING A DNA IDENTI-
9 FICATION PROFILE.

10 Enacting section 1. This amendatory act does not take
11 effect unless all of the following bills of the 90th Legislature
12 are enacted into law:

13 (a) Senate Bill No. _____ or House Bill No. _____
14 (request no. 01276'99).

15 (b) Senate Bill No. _____ or House Bill No. _____
16 (request no. 01276'99 a).