



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 648 (Substitute S-1 as reported)
Sponsor: Senator Raymond E. Basham
Committee: Judiciary

CONTENT

The bill would amend the L.E.I.N. Policy Council Act to codify Executive Reorganization Order No. 1998-1. The bill would do the following:

- Rename the Law Enforcement Information Network (LEIN) Policy Council the "Criminal Justice Information Systems Policy Council", and rename the Act the "C.J.I.S. Policy Council Act".
- Repeal the A.F.I.S. (Automated Fingerprint Identification System) Policy Council Act.
- Expand the council's membership.
- Require the council to establish policy and promulgate rules governing information in criminal justice information systems, and advise the Governor on related issues.
- Require that the policy and rules ensure access to information by a Federal, State, or local government agency to administer criminal justice or enforce any law, and ensure access to LEIN or AFIS information by a government agency engaged in the enforcement of child support laws, child protection laws, or vulnerable adult protection laws.
- Allow the council to authorize access to public record information in order to enhance public safety or criminal justice.
- Prohibit a person from gaining access to, using, or disclosing "nonpublic information" governed under the Act for personal use or gain (instead of disclosing LEIN information to a private entity for any purpose); and prohibit the disclosure of AFIS and other criminal justice system information (as well as LEIN information) in an unauthorized manner.
- Increase the maximum term of imprisonment for a first conviction from 90 to 93 days; and apply the criminal penalties only to intentional violations
- Allow the council to suspend or deny use of or access to information by an agency or individual who violated council policy or rules.

MCL 28.211 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 8-31-05

Fiscal Analyst: Bruce Baker