

Act No. 309
Public Acts of 2005
Approved by the Governor
December 22, 2005
Filed with the Secretary of State
December 27, 2005
EFFECTIVE DATE: February 1, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005**

Introduced by Reps. Newell, Nofs and Condino

ENROLLED HOUSE BILL No. 5275

AN ACT to amend 1974 PA 163, entitled "An act to provide for the creation of a law enforcement information network policy council; to provide for the establishment of policy and promulgation of rules governing the use of the law enforcement information network; and to provide for the appointment and compensation of council members," by amending the title and sections 1, 2, and 3 (MCL 28.211, 28.212, and 28.213) and by adding sections 1a and 3a.

The People of the State of Michigan enact:

TITLE

An act to provide for the creation of a criminal justice information systems policy council; to provide for the establishment of policy and promulgation of rules governing access, use, and disclosure of information in criminal justice information systems; to provide for the reimbursement of expenses of council members; and to provide for penalties.

Sec. 1. This act shall be known and may be cited as the "C.J.I.S. policy council act".

Sec. 1a. As used in this act:

- (a) "Council" means the criminal justice information policy council created in section 2.
- (b) "Nonpublic information" means information to which access, use, or dissemination is restricted by a law or rule of this state or the United States.

Sec. 2. (1) The criminal justice information policy council is created in the department of state police. The council is composed of the following members:

- (a) The attorney general or his or her designee.
- (b) The secretary of state or his or her designee.
- (c) The director of the department of corrections or his or her designee.
- (d) The chief of the Detroit police department or his or her designee.
- (e) The director of the department of state police or his or her designee.
- (f) Three representatives of the department of state police appointed by the director of the department of state police.
- (g) Three representatives of the Michigan association of chiefs of police appointed by that association.

- (h) Four representatives of the Michigan sheriffs' association appointed by that association.
- (i) Three representatives of the prosecuting attorneys association of Michigan appointed by that association.
- (j) A representative of the Michigan district judges association appointed by that association.
- (k) A representative of the Michigan judges association appointed by that association.
- (l) The state court administrator or his or her designee.

(m) An individual appointed by and serving at the pleasure of the governor who is employed in or engaged in the private security business.

(n) An individual appointed by and serving at the pleasure of the governor who represents human services concerns in this state.

(o) The director of the department of information technology or his or her designee.

(2) The appointed members of the council shall serve 2-year terms and may be reappointed.

Sec. 3. (1) The council, at its first meeting, shall elect from its membership a chairperson, who shall serve for 1 year. An election for chairperson shall be held annually. A chairperson, if reelected, may succeed himself or herself. The council shall meet quarterly during the months of January, April, July, and October or more frequently at the call of the chairperson.

(2) Council members shall serve without compensation, but are entitled to actual expenses incurred during attendance at a regular or special council meeting and in traveling to and from a meeting.

(3) A majority of council members constitute a quorum for conducting the business of the council.

Sec. 3a. (1) The council shall exercise its prescribed powers, duties, functions, and responsibilities independently of the director of the department of state police. The budgeting, procurement, and related management functions of the council shall be performed under the direction and supervision of the director of the department of state police.

(2) The executive secretary of the council shall be appointed by the director of the department of state police subject to the approval of the council.

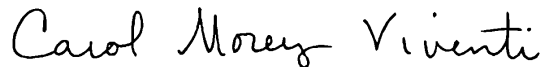
Enacting section 1. This amendatory act takes effect February 1, 2006.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 648 of the 93rd Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor