

SENATE BILL No. 540

May 6, 2009, Introduced by Senators JELINEK and SWITALSKI and referred to the Committee on Appropriations.

A bill to amend 1972 PA 222, entitled

"An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,"

by amending section 7 (MCL 28.297), as amended by 2005 PA 172.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) The secretary of state may provide a commercial
2 look-up service of records maintained under this act. For each
3 individual record looked up, the secretary of state shall charge a
4 fee specified annually by the legislature, or if the legislature
5 does not specify a fee, a market-based price established by the
6 secretary of state. The secretary of state shall process a
7 commercial look-up request only if the request is in a form or
8 format as prescribed by the secretary of state. Fees collected

1 under this subsection on and after October 1, 2005 **THROUGH**
2 **SEPTEMBER 30, 2009** shall be credited to the transportation
3 administration collection fund created in section 810b of the
4 Michigan vehicle code, 1949 PA 300, MCL 257.810b. **BEGINNING OCTOBER**
5 **1, 2009, FEES COLLECTED UNDER THIS SUBSECTION SHALL BE CREDITED TO**
6 **THE DEPARTMENT OF STATE OPERATIONS FUND ESTABLISHED UNDER SECTION**
7 **810B OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.810B.**

8 (2) The secretary of state shall establish and maintain a
9 computerized central file of the information contained on
10 application forms received under this act. The computerized central
11 file shall be interfaced with the law enforcement information
12 network as provided in the ~~L.E.I.N.-C.J.I.S.~~ policy council act, ~~of~~
13 ~~1974,~~ 1974 PA 163, MCL 28.211 to ~~28.216~~ **28.215**.

14 (3) Except as provided in section 10(2), the secretary of
15 state shall not provide an entire computerized central file or
16 other file of records maintained under this act to a
17 nongovernmental person or entity, unless the purchaser pays the
18 prescribed fee for each individual record contained within the
19 computerized file.

20 Enacting section 1. This amendatory act does not take effect
21 unless Senate Bill No. 494 of the 95th Legislature is enacted into
22 law.