

# SENATE BILL NO. 688

January 11, 2024, Introduced by Senator CHANG and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

A bill to amend 1988 PA 13, entitled  
"Juvenile diversion act,"  
by amending section 9 (MCL 722.829), as amended by 2023 PA 287.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 9. (1) ~~A~~**Except as provided in subsection (2), a** record  
2 kept under this act must not be used by any person, including a  
3 court official or law enforcement official, for any purpose except  
4 ~~in making~~**to make** a decision on whether to divert a minor.

5           **(2) A researcher may submit a research request for a record**  
6 **kept under this act to the state court administrative office or an**

1 individual court, as applicable. If the research request is  
2 granted, the applicable parties shall negotiate a data use  
3 agreement for the requested records. The researcher shall abide by  
4 all terms and conditions set forth in the data use agreement.

5 (3) If records kept under this act are collected by a court  
6 official to be provided to a researcher in accordance with  
7 subsection (2), the records must be redacted of personally  
8 identifiable information as follows:

9 (a) If all of the collected records have a common unique  
10 identifier, such as a court case record number, petition number, or  
11 another identifier that is determined to be sufficient by the court  
12 and the researcher, the state court administrator or court  
13 official, as applicable, shall redact the personally identifiable  
14 information before the records are provided to the researcher.

15 (b) If all of the collected records do not have a common  
16 unique identifier, the state court administrative office or court  
17 official, as applicable, shall work with the researcher to match  
18 the records and subsequently to redact the personally identifiable  
19 information.

20 (4) ~~(2)~~—A person that violates subsection (1) is guilty of a  
21 misdemeanor punishable by imprisonment for not more than 180 days,  
22 a fine of not more than \$1,000.00, or both.

23 (5) ~~(3)~~—A risk screening tool and a mental health screening  
24 tool conducted as part of a proceeding under this act and any  
25 information obtained from a minor in the course of those screenings  
26 or provided by the minor in order to participate in a diversion  
27 program, including, but not limited to, any admission, confession,  
28 or incriminating evidence, are not admissible into evidence in any  
29 adjudicatory hearing in which the minor is accused and are not

1 subject to subpoena or any other court process for use in any other  
2 proceeding or for any other purpose.

3       **(6) As used in this section, "personally identifiable**  
4 **information" means information about an individual that would**  
5 **reveal the individual's identity, including, but not limited to, an**  
6 **individual's name, date of birth, Social Security number, address,**  
7 **and other information unique to an individual.**

8       Enacting section 1. This amendatory act takes effect October  
9 1, 2024.