

# SENATE BILL No. 493

September 24, 1991, Introduced by Senators BOUCHARD,  
DINGELL and WELBORN and referred to the Committee  
on Judiciary.

A bill to amend section 21527 of Act No. 368 of the Public  
Acts of 1978, entitled as amended  
"Public health code,"  
as added by Act No. 3 of the Public Acts of 1988, being section—  
333.21527 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 21527 of Act No. 368 of the Public Acts  
2 of 1978, as added by Act No. 3 of the Public Acts of 1988, being  
3 section 333.21527 of the Michigan Compiled Laws, is amended to  
4 read as follows:

5 Sec. 21527. (1) If an individual alleges to a physician or  
6 other member of the attending or admitting staff of a hospital  
7 that within the preceding 24 hours the individual has been the  
8 victim of criminal sexual conduct under ~~sections 520a to 520i~~  
9 SECTION 520B, 520C, 520D, 520E, OR 520G of the Michigan penal

1 code, Act No. 328 of the Public Acts of 1931, being sections  
2 ~~750.520a to 750.520i~~ 750.520B, 750.520C, 750.520D, 750.520E,  
3 AND 750.520G of the Michigan Compiled Laws, the attending health  
4 care personnel responsible for examining or treating the individ-  
5 ual immediately shall inform the individual of the availability  
6 of a sexual assault evidence kit and, with the consent of the  
7 individual, shall perform or have performed on the individual the  
8 procedures required by the sexual assault evidence kit. THE  
9 PERSON PERFORMING THE PROCEDURES SHALL ADVISE THE INDIVIDUAL OF  
10 THE OPPORTUNITY TO USE A PSEUDONYM UNDER SECTION 22 OF CHAPTER  
11 XVI OF THE CODE OF CRIMINAL PROCEDURE, ACT NO. 175 OF THE PUBLIC  
12 ACTS OF 1927, BEING SECTION 776.22 OF THE MICHIGAN COMPILED LAWS.

13 (2) For the purposes of this section, the administration of  
14 a sexual assault evidence kit is not a medical procedure.

15 (3) As used in this section, "sexual assault evidence kit"  
16 means a standardized set of equipment and written procedures  
17 approved by the department of state police ~~which~~ THAT have been  
18 designed to be administered to an individual principally for the  
19 purpose of gathering evidence of sexual conduct, which evidence  
20 is of the type offered in court by the forensic science division  
21 of the department of state police for prosecuting a case of crim-  
22 inal sexual conduct under ~~sections 520a to 520i~~ SECTION 520B,  
23 520C, 520D, 520E, OR 520G of the Michigan penal code, Act No. 328  
24 of the Public Acts of 1931. A SEXUAL ASSAULT EVIDENCE KIT SHALL  
25 CONTAIN THE PSEUDONYM FORM DEVELOPED PURSUANT TO SECTION 24 OF  
26 CHAPTER XVI OF ACT NO. 175 OF THE PUBLIC ACTS OF 1927, BEING  
27 SECTION 776.24 OF THE MICHIGAN COMPILED LAWS.

1       Section 2. This amendatory act shall take effect July 1,  
2 1992.

3       Section 3. This amendatory act shall not take effect unless  
4 Senate Bill No. 492  
5                   of the 86th Legislature is enacted into law.