

SENATE BILL No. 540

October 9, 1991, Introduced by Senators KELLY, MILLER and O'BRIEN and referred to the Committee on Judiciary.

A bill to amend section 1a of Act No. 289 of the Public Acts of 1925, entitled as amended

"An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act,"

as amended by Act No. 40 of the Public Acts of 1988, being section 28.241a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1a of Act No. 289 of the Public Acts of
2 1925, as amended by Act No. 40 of the Public Acts of 1988, being
3 section 28.241a of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 1a. As used in this act:

1 (a) "Commanding officer" means the department of state
2 police employee in charge of the central records division.

3 (b) "Criminal history record information" means name; date
4 of birth; fingerprints; photographs, if available; personal
5 descriptions, including physical measurements, identifying marks,
6 scars, amputations, and tattoos; aliases and prior names; social
7 security and driver's license numbers and other identifying num-
8 bers; and information on misdemeanor convictions and felony
9 arrests and convictions.

10 (c) "Division" means the central records division of the
11 department of state police.

12 (d) "Felony" means a violation of a penal law of this state
13 for which the offender, upon conviction, may be punished by
14 imprisonment for more than 1 year, or an offense expressly desig-
15 nated by law to be a felony.

16 (e) "Juvenile history record information" means name; date
17 of birth; fingerprints; photographs, if available; personal
18 descriptions, including physical measurements, identifying marks,
19 scars, amputations, and tattoos; aliases and prior names; social
20 security and driver's license numbers and other identifying num-
21 bers; and information on juvenile offense arrests and
22 adjudications.

23 (f) "Juvenile offense" means an offense committed by a juve-
24 nile ~~which~~ THAT, if committed by an adult, would be a violation
25 or an attempted violation of section 72, 83, 84, 88, 89, 91, 110,
26 316, 317, 349, 360, 413, 520b, 520c, 520d, 520g, 529, 529A, or
27 530 of the Michigan penal code, Act No. 328 of the Public Acts of

1 1931, being sections 750.72, 750.83, 750.84, 750.88, 750.89,
2 750.91, 750.110, 750.316, 750.317, 750.349, 750.360, 750.413,
3 750.520b, 750.520c, 750.520d, 750.520g, 750.529, 750.529A, and
4 750.530 of the Michigan Compiled Laws, or section 7401(2)(a)(i)
5 or 7403(2)(a)(i) of the public health code, Act No. 368 of the
6 Public Acts of 1978, being sections 333.7401 and 333.7403 of the
7 Michigan Compiled Laws.

8 (g) "Misdemeanor" means either of the following:

9 (i) A violation of a penal law of this state ~~which~~ THAT is
10 not a felony, or a violation of an order, rule, or regulation of
11 a state agency that is punishable by imprisonment or a fine that
12 is not a civil fine.

13 (ii) A violation of a local ordinance ~~which~~ THAT substan-
14 tially corresponds to state law.

15 Section 2. This amendatory act shall not take effect unless
16 Senate Bill No. 507 of the 86th Legislature is enacted into law.