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DNA PROFILES; EXTEND GROUNDS FOR RETAINING

House Bills 4438-4440

Sponsor: Rep. Larry Julian

**Committee: Criminal Law and
Corrections**

Complete to 7-14-99

A SUMMARY OF HOUSE BILLS 4438-4440 AS INTRODUCED 3-23-99

The bills would expand the DNA Identification Profiling System maintained by the Department of State Police to allow a court to require a person who was convicted of any felony to provide DNA samples for testing and retention. Under current law, the taking and retention of a person's DNA identification profile is required for those who are convicted of CSC crimes, kidnaping, manslaughter, or murder in the first or second degree. House Bill 4440 would amend the DNA Identification Profiling System Act (MCL 28.176) to require the Department of State Police to obtain and permanently retain a DNA identification profile of any person who had been convicted of any felony, if a court had required that such a sample be taken. In addition, the bill would eliminate language that requires the department to retain any other DNA profile (from someone who had not been convicted of one of the listed crimes) for only as long as it was needed for a criminal investigation or prosecution.

House Bills 4438 and 4439 would amend the Michigan Penal Code (MCL 750.520m) and the Juvenile Code (MCL 712A.18k), respectively, to allow a court to require anyone convicted of or found responsible for any felony (other than those already requiring the provision of DNA samples) to provide samples for DNA identification profiling or determination of an individual's secretor status.

House Bills 4438-4440 (7-14-99)

Analyst: W. Flory

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.