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SFA**BILL ANALYSIS**

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House Bill 5778 (as passed by the House)
Sponsor: Representative Jennifer Faunce
House Committee: Criminal Justice
Senate Committee: Judiciary

Date Completed: 5-22-02

CONTENT

The bill would amend the Revised Judicature Act (RJA) to revise the fingerprinting requirements for applicants to the State Bar of Michigan.

Under the RJA, the Board of Law Examiners must require that an applicant for admission to the State Bar be fingerprinted to determine whether the applicant has a record of criminal convictions in Michigan or other states. The bill would require the Board of Law Examiners to submit the fingerprints to the Department of State Police for a criminal history check. The Board also would have to submit the appropriate State and Federal fees, which would have to be borne by the applicant. The Department then could forward the fingerprints to the Federal Bureau of Investigation for a criminal history check.

The RJA provides that the information obtained as a result of the fingerprinting of an applicant is limited to the official use of the Board of Law Examiners and the State Bar's committee on character and fitness in determining the character and fitness of the applicant for admission to the State Bar. The bill would delete references to the Board and the State Bar committee in that provision. The information still would be limited to officially determining the applicant's character and fitness for admission.

In addition, the RJA provides that, after the Board approves the applicant, all fingerprint records and cards must be returned to the applicant or be destroyed and all fingerprint records and cards being held by the State Bar must be destroyed. The bill would delete references to fingerprint cards in those provisions.

MCL 600.949

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would codify current practice and State Bar Rules and would have no fiscal impact.

Fiscal Analyst: Bill Bowerman
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.