

HOUSE BILL No. 5778

(As amended April 23, 2002)

(As passed the Senate, June 5, 2002)

March 7, 2002, Introduced by Reps. Faunce and LaSata and referred to the Committee on Criminal Justice.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 949 (MCL 600.949), as amended by 1980 PA 69.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 949. (1) It is the duty of all state, county, and city
2 law enforcement officers to aid the state bar of Michigan and the
3 board of law examiners in any investigation of the conduct of
4 members of the bar, and the character and fitness of persons who
5 apply for admission or reinstatement to the bar, and to furnish
6 all available information about the members or persons.

7 (2) The board of law examiners shall require that an appli-
8 cant for admission to the state bar of Michigan be fingerprinted
9 to determine whether the applicant has a record of criminal
10 convictions in this state or in other states. THE BOARD OF LAW
11 EXAMINERS SHALL SUBMIT THE FINGERPRINTS [AND THE APPROPRIATE STATE AND
FEDERAL FEES, WHICH SHALL BE BORNE BY THE APPLICANT,] TO THE DEPARTMENT
OF

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1 STATE POLICE FOR A CRIMINAL HISTORY CHECK. THE DEPARTMENT OF
2 STATE POLICE [MAY] THEN FORWARD THE FINGERPRINTS TO THE FEDERAL
3 BUREAU OF INVESTIGATION FOR A CRIMINAL HISTORY CHECK. The infor-
4 mation obtained as a result of the fingerprinting of an applicant
5 shall be limited to [~~the official use of the board of law examin-~~
6 ~~ers and the committee on character and fitness of the state bar~~
7 ~~of Michigan in~~ OFFICIALLY] determining the character and fitness of the
8 applicant for admission to the state bar of Michigan. After
9 approval of the applicant by the board of law examiners, all fin-
10 gerprint records [~~and cards~~] shall be returned to the applicant or
11 destroyed.

12 (3) ~~After the effective date of this amendatory act, all~~
13 ALL fingerprint records [~~and cards~~] being held by the state bar of
14 Michigan shall be destroyed.