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BILL ANALYSIS

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House Bill 5195 (Substitute H-1 as passed by the House)
Sponsor: Representative Matt Milosch
House Committee: Criminal Justice
Senate Committee: Families and Human Services

Date Completed: 1-20-04

CONTENT

The bill would amend the Sex Offenders Registration Act to require the Michigan State Police (MSP) to include the photograph of each individual registered under the Act in the compilation of registered individuals that is available to the public. The bill would take effect on May 1, 2005.

The Act requires the MSP to maintain a computerized data base of registrations under the Act. The MSP also must maintain a separate computerized data base that consists of a compilation of individuals registered under the Act (except for some registered for certain dispositions under the juvenile code). An MSP post, local law enforcement agency, or sheriff's department must make information in the compilation available for public inspection during regular business hours, and the MSP may make it available to the public through electronic, computerized, or other accessible means.

The compilation must be indexed by zip code area. Within each area, it must consist of the name, aliases, physical description, and birth date of each registered individual who is included in the compilation and resides in that zip code area; any listed offense of which the individual has been convicted; and the name and campus location of each institution of higher education to which he or she must report.

Under the bill, the compilation also would have to include the photograph of each individual registered under the Act. The MSP would have to obtain the photographs submitted under Section 5a of the Act from the Secretary of State (SOS) for the purpose of implementing this requirement. (Under Section 5a, between January 1, 2000, and January 15, 2000, an individual registered under the Act who was not incarcerated was required to report in person to the SOS and have his or her digitized photo taken for use on his or her operator's or chauffeur's license or official State personal identification card. A registered individual who was incarcerated on January 15, 2000, must report to the SOS within 10 days after his or her release.)

MCL 28.728

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have a minimal fiscal impact on the Department of State Police. Although the bill would make adjustments to the Sex Offenders Registration Act, the Department already has the organization and resources to handle the changes.

Fiscal Analyst: Bruce Baker

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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.