

SUBSTITUTE FOR  
HOUSE BILL NO. 4668

A bill to amend 1935 PA 120, entitled

"An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2004 PA 359.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3. (1) The department of state police may charge a fee,  
2 not to exceed ~~\$15.00, or, until October 1, 2007, not to exceed~~  
3 \$30.00, **UNTIL OCTOBER 1, 2010**, for taking and processing the  
4 fingerprints and completing a criminal record check of a resident  
5 of this state when the impression of the fingerprints are requested  
6 for employment-related or licensing-related purposes. A fee shall  
7 not be collected under this ~~section~~**SUBSECTION** if a fee for taking  
8 and processing fingerprints is ~~provided for~~**COLLECTED** under any

House Bill No. 4668 (H-2) as amended September 23, 2007

1 other law. The fee shall not exceed the actual cost of taking and  
2 processing the impression of the fingerprints and completing a  
3 criminal record check on that person. The fee shall be collected  
4 and forwarded to the state police by the licensing body or the  
5 employer.

6 (2) The department of state police shall submit a written  
7 report to the secretary of the senate and the clerk of the house of  
8 representatives by October 1 of each year stating whether the fee  
9 ~~increase provided under the amendatory act that added this~~  
10 ~~subsection~~ CHARGED UNDER SUBSECTION (1) is sufficient to support  
11 the actual costs of fingerprinting and what the actual costs of  
12 fingerprinting are.

13 (3) [UNTIL OCTOBER 1, 2010,] THE DEPARTMENT OF STATE POLICE MAY  
14 CHARGE A FEE OF \$10.00  
15 FOR PROCESSING AND COMPLETING A NAME-BASED CRIMINAL RECORD CHECK. A  
16 FEE SHALL NOT BE CHARGED UNDER THIS SUBSECTION IF A FEE FOR  
17 PROCESSING THE NAME-BASED CRIMINAL RECORD CHECK IS CHARGED UNDER  
18 ANY OTHER LAW. HOWEVER, A FEE UNDER THIS SUBSECTION SHALL NOT BE  
19 CHARGED IN THE CASE OF A GOVERNMENT AGENCY OR NONPROFIT CHARITABLE  
20 AGENCY PERFORMING EMPLOYMENT OR VOLUNTEER EMPLOYMENT NAME-BASED  
21 BACKGROUND CHECKS THROUGH THE INTERNET CRIMINAL HISTORY ACCESS TOOL  
(ICHAT).