



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 5391 (Substitute S-1 as reported)  
Sponsor: Representative Matt Huuki  
House Committee: Transportation  
Senate Committee: Transportation

**CONTENT**

The bill would create a new act to do the following:

- Allow a transit service provider to require the fingerprinting of an employee (a bus driver applicant) who came into contact with a vulnerable population, for the purpose of obtaining criminal history record information.
- Allow the fingerprints to be submitted to the Michigan Department of State Police (MSP) for a State criminal history record check.
- Require the MSP to forward the fingerprints to the FBI for a national criminal history record check.
- Require the MSP to give the requesting transit service provider a report of the results.
- Allow the MSP to charge a fee for the criminal history check that did not exceed the actual and reasonable cost of conducting the check.
- Require a transit service provider that fingerprinted employees to develop a fingerprint policy and give employees a synopsis that described how fingerprints were taken, to whom they were sent, and how they were used.
- Require the MSP to store the fingerprints in an automated fingerprint identification system database, and notify the applicable transit service provider when a criminal arrest fingerprint card submitted into the system matched a set of prints previously submitted.
- Require the MSP, after the FBI implemented a similar automatic notification system, to forward notifications from that system to the transit service provider.
- Exempt criminal history data kept on file by a transit service provider from disclosure under the Freedom of Information Act.

"Vulnerable population" would mean children, the elderly, or individuals with disabilities.

The bill would take effect 90 days after it was enacted.

Legislative Analyst: Julie Cassidy

**FISCAL IMPACT**

The bill would allow, but not require, a transit service provider to require fingerprinting and analysis of certain employees. The Department of State Police charges \$49 (\$30 State, \$19 Federal) for each set of fingerprints analyzed for a criminal history background check through State and Federal data systems. This fee reflects the actual cost of this service to the Department.

Date Completed: 9-27-12

Fiscal Analyst: Bruce Baker