SUBSTITUTE FOR

HOUSE BILL NO. 5793

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 2010 PA 178.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 3. (1) ~~The~~ **UNTIL OCTOBER 1, 2014, THE** department of state

2 police may charge a fee, not to exceed $30.00, ~~until October 1,~~

3 ~~2012,~~ for taking and processing the fingerprints and completing a

4 criminal record check of a resident of this state when the

5 impression of the fingerprints are requested for employment-related

6 or licensing-related purposes. A fee shall not be collected under

7 this subsection if a fee for taking and processing fingerprints is

8 collected under any other law. The fee shall not exceed the actual

1 cost of taking and processing the impression of the fingerprints

2 and completing a criminal record check on that person. The fee

3 shall be collected and forwarded to the state police by the

4 licensing body or the employer.

5   (2) The department of state police shall submit a written

6 report to the secretary of the senate and the clerk of the house of

7 representatives by October 1 of each year stating whether the fee

8 charged under subsection (1) is sufficient to support the actual

9 costs of fingerprinting and what the actual costs of fingerprinting

10 are.

11   (3) Until October 1, ~~2012,~~ **2014,** the department of state

12 police may charge a fee of $10.00 for processing and completing a

13 name-based criminal record check. However, a fee shall not be

14 charged under this subsection if a fee for processing the name-

15 based criminal record check is charged under any other law or if

16 the requester is a government agency or nonprofit charitable agency

17 performing employment or volunteer employment name-based background

18 checks through the internet criminal history access tool (ICHAT).