

HOUSE BILL No. 5237

October 9, 1991, Introduced by Reps. Barns, Porreca, DeMars, Berman, Rocca, Kosteva and Hoffman and referred to the Committee on Senior Citizens and Retirement.

A bill to amend Act No. 2 of the Public Acts of 1867, entitled

"An act to enlarge the powers and duties of sheriffs, under and deputy sheriffs,"

as amended, being section 51.221 of the Michigan Compiled Laws, by adding section 2.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 2 of the Public Acts of 1867, as
2 amended, being section 51.221 of the Michigan Compiled Laws, is
3 amended by adding section 2 to read as follows:

4 SEC. 2. (1) UPON REQUEST OF THE ADMINISTRATOR OF AN ADULT
5 FOSTER CARE FACILITY LICENSED UNDER THE ADULT FOSTER CARE FACIL-
6 ITY LICENSING ACT, ACT NO. 218 OF THE PUBLIC ACTS OF 1979, BEING
7 SECTIONS 400.701 TO 400.737 OF THE MICHIGAN COMPILED LAWS, A
8 SHERIFF SHALL CONDUCT A CRIMINAL HISTORY CHECK, THROUGH THE USE

1 OF THE LAW ENFORCEMENT INFORMATION NETWORK AND RECORDS TO WHICH
2 THE SHERIFF HAS ACCESS, ON AN APPLICANT FOR A POSITION WITH THE
3 FACILITY TO DETERMINE WHETHER THE INDIVIDUAL HAS BEEN CONVICTED
4 IN THIS OR ANOTHER STATE OF 1 OR MORE OF THE FOLLOWING OFFENSES:

5 (A) A FELONY.

6 (B) A MISDEMEANOR COMMITTED AGAINST AN INDIVIDUAL WHO IS
7 AGED OR WHO HAS A DEVELOPMENTAL DISABILITY, MENTAL ILLNESS, OR
8 PHYSICAL DISABILITY.

9 (C) AN ATTEMPT OR CONSPIRACY TO COMMIT AN OFFENSE DESCRIBED
10 IN SUBDIVISION (A) OR (B).

11 (2) THE SHERIFF SHALL ISSUE A REPORT TO THE ADMINISTRATOR OF
12 THE ADULT FOSTER CARE FACILITY STATING WHETHER THE APPLICANT HAS
13 BEEN CONVICTED OF AN OFFENSE DESCRIBED IN SUBSECTION (1), AND THE
14 NATURE OF THE OFFENSE AND THE CONVICTION.

15 (3) THE SHERIFF MAY CHARGE A FEE FOR TAKING AND PROCESSING
16 THE FINGERPRINTS AND COMPLETING A CRIMINAL RECORD CHECK OF AN
17 APPLICANT IF REQUESTED UNDER THIS SECTION. THE FEE SHALL NOT
18 EXCEED THE ACTUAL COST OF TAKING AND PROCESSING THE IMPRESSION OF
19 THE FINGERPRINTS AND COMPLETING A CRIMINAL RECORD CHECK ON THAT
20 PERSON.