

Act No. 166
Public Acts of 1994
Approved by the Governor
June 15, 1994
Filed with the Secretary of State
June 17, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senator Van Regenmorter

ENROLLED SENATE BILL No. 1003

AN ACT to amend section 3 of Act No 250 of the Public Acts of 1990 entitled An act to provide for a DNA identification profiling system to provide for the collection of blood and saliva samples taken from certain prisoners and convicted offenders and the analysis of those samples and blood saliva and tissue samples from other individuals and to prescribe the powers and duties of certain state departments being section 28 173 of the Michigan Compiled Laws and to repeal certain parts of the act

The People of the State of Michigan enact

Section 1 Section 3 of Act No 250 of the Public Acts of 1990 being section 28 173 of the Michigan Compiled Laws is amended to read as follows

Sec 3 Not later than October 1 1994 the department of state police shall promulgate rules pursuant to the administrative procedures act of 1969 Act No 306 of the Public Acts of 1969 being sections 24 201 to 24 328 of the Michigan Compiled Laws to implement this act including but not limited to rules governing all of the following

(a) The method of collection of blood and saliva samples and the types and number of samples to be collected by the department of corrections from certain prisoners pursuant to section 33d of Act No 232 of the Public Acts of 1953 being section 791 233d of the Michigan Compiled Laws and by law enforcement agencies from certain convicted offenders pursuant to section 520m of the Michigan penal code Act No 328 of the Public Acts of 1931 being section 750 520m of the Michigan Compiled Laws The rules shall provide for the taking of blood and saliva samples in a medically approved manner by qualified persons

(b) The distribution of blood specimen vials mailing tubes and labels and of instructions for the collection of blood and saliva samples

(c) The storage and transmission to the department of state police of the blood and saliva samples described in subdivision (a)

(d) The DNA identification or genetic marker profiling of the blood and saliva samples described in subdivision (a) and of other blood saliva or tissue samples submitted to the department of state police

(e) The development in cooperation with the federal bureau of investigation and other appropriate persons of a system of filing cataloging retrieval and comparison of DNA identification profiles and the computerization of this system

(f) The protection of the privacy interests of individuals whose blood saliva or tissue samples are analyzed pursuant to this act

Section 2 Sections 7 and 8 of Act No 250 of the Public Acts of 1990 being sections 28 177 and 28 178 of the Michigan Compiled Laws are repealed

Section 3 (1) Sections 1 2 3 4 and 5 of Act No 250 of the Public Acts of 1990 section 3 as amended by this amendatory act shall take effect on the effective date of this amendatory act

(2) Section 6 of Act No 250 of the Public Acts of 1990 shall take effect September 1 1994

Section 4 This amendatory act shall not take effect unless all of the following bills of the 87th Legislature are enacted into law

(a) Senate Bill No 1002

(b) House Bill No 5414

(c) House Bill No 5415

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor