



# HOUSE BILL No. 5415

March 15 1994 Introduced by Reps Palamara Nye and Profit and referred to the Committee on Judiciary

A bill to amend section 33d of Act No 232 of the Public Acts of 1953, entitled as amended

"An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles to the administration of correctional institutions, correctional farms and probation recovery camps, to prisoner labor and correctional industries and to the supervision and inspection of local jails and houses of correction to provide for the siting of correctional facilities to create a state department of corrections, and to prescribe its powers and duties to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act to prescribe the powers and duties of certain other state departments and agencies to provide for the creation of a local lockup advisory board to prescribe penalties for the violation of the provisions of this act to make certain appropriations to repeal certain parts of this act on specific dates and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

as added by Act No 251 of the Public Acts of 1990, being section 791 233d of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1       Section 1     Section 33d of Act No 232 of the Public Acts of  
2 1953 as added by Act No 251 of the Public Acts of 1990, being  
3 section 791 233d of the Michigan Compiled Laws, is amended to  
4 read as follows

5       Sec 33d     ~~If a~~ A prisoner ~~is~~ serving a sentence for a  
6 violation or an attempted violation of section 520b 520c, 520d,  
7 520e ~~520f~~ or 520g of the Michigan penal code, Act No 328 of  
8 the Public Acts of 1931 being sections 750 520b, 750 520c,  
9 750 520d 750 520e, ~~750 520f~~, and 750 520g of the Michigan  
10 Compiled Laws ~~the prisoner~~ shall not be released on parole  
11 until he or she has provided blood samples for chemical testing  
12 for DNA identification profiling or a determination of the  
13 blood s genetic markers and has provided samples of his or her  
14 saliva for chemical testing to determine the secretor status of  
15 the saliva     However if at the time the prisoner is to be  
16 released the department of state police already has a sample of  
17 the prisoner s blood or saliva that meets the requirements of the  
18 rules promulgated under the DNA identification profiling system  
19 act   ACT NO 250 OF THE PUBLIC ACTS OF 1990 BEING SECTIONS  
20 28 171 TO 28 176 OF THE MICHIGAN COMPILED LAWS, the prisoner is  
21 not required to provide another sample of the same body fluid  
22 The blood or saliva samples required to be collected under this  
23 section shall be collected by the department and transmitted by  
24 the department to the department of state police in the manner  
25 prescribed by rules promulgated under the DNA identification  
26 profiling system act   ACT NO 250 OF THE PUBLIC ACTS OF 1990

1       Section 2    This amendatory act shall not take effect unless  
2 all of the following bills of the 87th Legislature are enacted  
3 into law

4       (a) Senate Bill No        or House Bill No        (request  
5 no 00344'93 \*)

6       (b) Senate Bill No        or House Bill No        (request  
7 no 00344'93 a \*)

8       Section 3    Section 33d of Act No 232 of the Public Acts of  
9 1953, as amended by this amendatory act, shall take effect April  
10 1, 1994