



# HOUSE BILL No. 5512

April 27 1994 Introduced by Rep Bryant and referred to the Committee on Judiciary

A bill to amend section 1a of Act No 289 of the Public Acts of 1925, entitled as amended

"An act to create a bureau of criminal identification and records within the department of state police to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police to require the fingerprinting of an accused by certain persons and to provide penalties for violation of this act,"

as amended by Act No 40 of the Public Acts of 1988, being section 28 241a of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 1a of Act No 289 of the Public Acts of  
2 1925, as amended by Act No 40 of the Public Acts of 1988, being  
3 section 28 241a of the Michigan Compiled Laws, is amended to read  
4 as follows

5 Sec 1a As used in this act

1 (a) "Commanding officer" means the department of state  
2 police employee in charge of the central records division

3 (b) "Criminal history record information" means name date  
4 of birth, fingerprints photographs, if available personal  
5 descriptions, including physical measurements, identifying marks,  
6 scars, amputations, and tattoos aliases and prior names social  
7 security and driver's license numbers and other identifying num-  
8 bers and information on misdemeanor convictions and felony  
9 arrests and convictions

10 (c) "Division" means the central records division of the  
11 department of state police

12 (d) "Felony" means a violation of a penal law of this state  
13 for which the offender, upon conviction, may be punished by  
14 imprisonment for more than 1 year, or an offense expressly desig-  
15 nated by law to be a felony

16 (e) "Juvenile history record information" means name date  
17 of birth fingerprints, photographs, if available, personal  
18 descriptions, including physical measurements, identifying marks,  
19 scars, amputations, and tattoos aliases and prior names social  
20 security and driver's license numbers and other identifying num-  
21 bers, and information on juvenile offense arrests and  
22 adjudications

23 (f) "Juvenile offense" means an offense committed by a juve-  
24 nile which, if committed by an adult, would be a violation or an  
25 attempted violation of section 72, 83, 84, 88, 89, 91, 110, 316,  
26 317, 349, 360, 413, 520b, 520c, 520d, 520g, 529, or 530 of the  
27 Michigan penal code, Act No 328 of the Public Acts of 1931,

1 being sections 750 72, 750 83, 750 84, 750 88, 750 89, 750 91,  
 2 750 110, 750 316, 750 317, 750 349, 750 360, 750 413, 750 520b,  
 3 750 520c, 750 520d, 750 520g, 750 529, and 750 530 of the  
 4 Michigan Compiled Laws, or section ~~7401(2)(a)(i) or~~  
 5 7403(2)(a)(i) of the public health code, Act No 368 of the  
 6 Public Acts of 1978, being ~~sections 333-7401 and~~  
 7 SECTION 333 7403 of the Michigan Compiled Laws

8 (g) "Misdemeanor" means either of the following

9 (i) A violation of a penal law of this state which is not a  
 10 felony, or a violation of an order, rule, or regulation of a  
 11 state agency that is punishable by imprisonment or a fine that is  
 12 not a civil fine

13 (ii) A violation of a local ordinance which substantially  
 14 corresponds to state law

15 Section 2 This amendatory act shall not take effect unless  
 16 Senate Bill No \_\_\_\_\_ or House Bill No 5511 (request  
 17 no 04358'93) of the 87th Legislature is enacted into law