



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 763 (Substitute S-1 as reported)
Sponsor: Senator Joe Conroy
Committee: Judiciary

CONTENT

The bill would amend Public Act 189 of 1966, which provides procedures for obtaining and executing search warrants, to provide for the issuance of a search warrant for the search and seizure of hair, tissue, or blood or other bodily fluid samples in a criminal sexual conduct (CSC) investigation involving a victim who was related to the suspect by blood or affinity to the third or fourth degree.

If a court had probable cause to believe that a person committed first-, second-, third-, or fourth-degree CSC involving a relative, the court, upon proper petition for a search warrant, would have to authorize the search and seizure of hair or tissue, or blood or other fluid samples from all of the following:

- Any individual whom the court had probable cause to believe had committed the violation.
- A child, if the court had probable cause to believe that the violation resulted in the birth of that child.
- The remains of an unborn child, if the court had probable cause to believe that the violation resulted in a pregnancy that was terminated before the birth of the child.

The bill would not prohibit the court from issuing a search warrant for other evidence as considered appropriate by the court.

The bill would take effect on June 1, 1996, and is tie-barred to Senate Bill 762 and House Bill 5076.

Proposed MCL 780.652a

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 2-7-96

Fiscal Analyst: M. Bain

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