



Senate Fiscal Agency
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House Bill 5913 (Substitute H-2 as reported without amendment)

Sponsor: Representative Eric Bush

House Committee: Judiciary and Civil Rights

Senate Committee: Judiciary

CONTENT

The bill would amend provisions of the Department of Correction (DOC) law under which a prisoner serving a sentence for a specified criminal sexual conduct (CSC) offense may not be released on parole until he or she has provided blood samples for DNA profiling or a determination of the blood's genetic markers, or samples of his or her saliva for a determination of secretor status. The bill would include first- and second-degree murder, attempted murder, kidnapping, and attempted kidnapping in the profiling offenses. The bill also provides that the person could not be placed in a community placement facility of any kind, or discharged upon completion of his or her maximum sentence, until he or she had provided samples as required. The DOC could collect a sample regardless of whether the prisoner consented to the collection, and would not be required to give the prisoner an opportunity for a hearing or obtain a court order before collecting the sample.

The bill would take effect on January 1, 1997, and is tie-barred to House Bills 5912 and 5914.

MCL 791.233d

Legislative Analyst: P. Affholter

FISCAL IMPACT

Department of State Police: The bills would have a minimal fiscal impact on the Department of State Police, which currently performs database DNA profiling of adult persons convicted of CSC offenses. Expanding the profiling program to include juveniles convicted of CSC offenses and all persons convicted of murder or kidnapping would increase the number of DNA profiles administered by the Department from 4,000 to approximately 5,100 per year. The Department has determined that these additional profiling requirements could be met with existing resources within its DNA unit. Since the Department is also responsible for the purchase and distribution of DNA collection kits, the bills would result in added supply costs of \$4,000.

Local law enforcement agencies, which could be required to collect blood samples for DNA profiling under House Bill 5913 (H-2), could be faced with additional costs, though it is not known how many samples they would be required to draw from convicted persons. The vast majority of blood sample collections are taken by the Department of Corrections.

Department of Corrections: This bill would have minimal fiscal impact on the DOC. The Department currently has a process in place for collecting DNA samples for prisoners convicted of sex offenses. Adding offenders convicted of murder and kidnapping to this category would increase the number of annual samples by approximately 350, yet given the relatively small cost of collection, the bill is not expected to result in significantly increased expenditures.

Date Completed: 12-6-96

Fiscal Analyst: B. Baker, M. Hansen

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.