

Act No. 512
Public Acts of 1996
Approved by the Governor
January 7, 1997
Filed with the Secretary of State
January 9, 1997

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Reps. Bodem, Law, Bush, Ryan, Hill, Rhead, Goschka, Rocca and McManus
Reps. Baade, Brackenridge, Byl, Crissman, Dalman, DeMars, Dolan, Gernaat, Gnodtke, Green,
Hammerstrom, Horton, Jellema, Jersevic, Johnson, Kukuk, Llewellyn, London, Lowe, McBryde,
Middaugh, Middleton, Nye, Oxender, Porreca, Varga, Weeks, Whyman and Yokich named co-sponsors

ENROLLED HOUSE BILL No. 6062

AN ACT to amend the title of Act No. 150 of the Public Acts of 1974, entitled "An act to provide for the acceptance and care of youths committed to the department of social services as state wards; to prescribe the liability of counties for the cost of services for state wards; to prescribe procedures for the return of state wards who absent themselves without permission; to provide a penalty for the violation of this act; and to repeal certain acts and parts of acts," as amended, being sections 803.301 to 803.309 of the Michigan Compiled Laws; and to add section 7a.

The People of the State of Michigan enact:

Section 1. The title of Act No. 150 of the Public Acts of 1974, as amended, being sections 803.301 to 803.309 of the Michigan Compiled Laws, is amended and section 7a is added to read as follows:

TITLE

An act to provide for the acceptance, care, and discharge of youths committed to the department as state wards; to prescribe the liability of counties for the cost of services for state wards; to prescribe procedures for the return of state wards who absent themselves without permission; to provide a penalty for the violation of this act; and to repeal acts and parts of acts.

Sec. 7a. (1) A state ward under the jurisdiction of the department for a violation of section 91, 316, or 317 of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being sections 750.91, 750.316, and 750.317 of the Michigan Compiled Laws, or a violation or attempted violation of section 349, 520b, 520c, 520d, 520e, or 520g of Act No. 328 of the Public Acts of 1931, being sections 750.349, 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g of the Michigan Compiled Laws, shall not be placed in a community placement of any kind and shall not be discharged from wardship until he or she has provided samples for chemical testing for DNA identification profiling or a determination of the sample's genetic markers and has provided samples for a determination of his or her secretor status. However, if at the time the state ward is to be discharged from state wardship the department of state police already has a sample from the state ward that meets the requirements of the rules promulgated under the DNA identification profiling system act, Act No. 250 of the Public Acts of 1990, being sections 28.171 to 28.176 of the Michigan Compiled Laws, the state ward is not required to provide another sample.

(2) The samples required to be collected under this section shall be collected by the department and transmitted by the department to the department of state police in the manner prescribed by rules promulgated under the DNA identification profiling system act, Act No. 250 of the Public Acts of 1990.

(3) The department may collect a sample under this section regardless of whether the state ward consents to the collection. The department is not required to give the state ward an opportunity for a hearing or obtain a court order before collecting the sample.

(4) As used in this section, "sample" means a portion of a state ward's blood, saliva, or tissue collected from the state ward.

Section 2. This amendatory act shall take effect January 1, 1997.

Section 3. This amendatory act shall not take effect unless all of the following bills of the 88th Legislature are enacted into law:

(a) House Bill No. 5783.

(b) House Bill No. 5912.

(c) House Bill No. 6061.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.