



HOUSE BILL No. 5474

December 12, 1995, Introduced by Reps. DeHart, Bush, Goschka, Prusi, Tesanovich, Martinez, Hood, Kelly, Brater and DeMars and referred to the Committee on Health Policy.

A bill to amend Act No. 2 of the Public Acts of 1867, entitled

"An act to enlarge the powers and duties of sheriffs, under and deputy sheriffs,"

as amended, being section 51.221 of the Michigan Compiled Laws, by adding section 2.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 2 of the Public Acts of 1867, as
2 amended, being section 51.221 of the Michigan Compiled Laws, is
3 amended by adding section 2 to read as follows:

4 SEC. 2. (1) UPON REQUEST OF AN APPLICANT FOR EMPLOYMENT OR
5 A VOLUNTEER POSITION WITH AN ADULT FOSTER CARE FACILITY LICENSED
6 UNDER THE ADULT FOSTER CARE FACILITY LICENSING ACT, ACT NO. 218
7 OF THE PUBLIC ACTS OF 1979, BEING SECTIONS 400.701 TO 400.737 OF
8 THE MICHIGAN COMPILED LAWS, A SHERIFF SHALL TAKE THE APPLICANT'S

1 FINGERPRINTS AND CONDUCT A CRIMINAL HISTORY CHECK, THROUGH THE
2 USE OF THE LAW ENFORCEMENT INFORMATION NETWORK AND RECORDS TO
3 WHICH THE SHERIFF HAS ACCESS, TO DETERMINE WHETHER THE APPLICANT
4 HAS BEEN CONVICTED IN THIS STATE OR IN ANOTHER STATE OF A FELONY
5 OR AN ATTEMPT OR CONSPIRACY TO COMMIT A FELONY.

6 (2) IF THE RECORDS INDICATE THAT THE APPLICANT HAS NOT BEEN
7 CONVICTED AS DESCRIBED IN SUBSECTION (1), THE SHERIFF SHALL ISSUE
8 A DOCUMENT TO THE APPLICANT STATING THAT THE APPLICANT HAS NOT
9 BEEN CONVICTED AS DESCRIBED IN SUBSECTION (1).

10 (3) THE SHERIFF MAY CHARGE A FEE FOR TAKING AND PROCESSING
11 THE FINGERPRINTS, COMPLETING A CRIMINAL RECORD CHECK OF AN APPLI-
12 CANT, AND PREPARING A STATEMENT DESCRIBED IN SUBSECTION (2). THE
13 FEE SHALL NOT EXCEED THE ACTUAL COST OF TAKING AND PROCESSING THE
14 IMPRESSION OF THE FINGERPRINTS, COMPLETING THE CRIMINAL RECORD
15 CHECK ON THAT APPLICANT, AND PREPARING THE STATEMENT.