



HOUSE BILL No. 5795

April 23, 1996, Introduced by Reps. Whyman, Goschka, McBryde, Lowe, Green and Bush and referred to the Committee on Judiciary and Civil Rights.

A bill to amend Act No. 150 of the Public Acts of 1974,
entitled

"Youth rehabilitation services act,"

as amended, being sections 803.301 to 803.309 of the Michigan
Compiled Laws, by adding section 7a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 150 of the Public Acts of 1974, as
2 amended, being sections 803.301 to 803.309 of the Michigan
3 Compiled Laws, is amended by adding section 7a to read as
4 follows:

5 SEC. 7A. THE DEPARTMENT SHALL ENSURE THAT A JUVENILE WHO IS
6 ACCEPTED AS A STATE WARD FOR A VIOLATION OR AN ATTEMPTED VIOLA-
7 TION OF SECTION 520B, 520C, 520D, 520E, OR 520G OF THE MICHIGAN
8 PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931, BEING
9 SECTIONS 750.520B, 750.520C, 750.520D, 750.520E, AND 750.520G OF

1 THE MICHIGAN COMPILED LAWS, HAS PROVIDED BLOOD SAMPLES FOR
2 CHEMICAL TESTING FOR DNA IDENTIFICATION PROFILING OR A DETERMINA-
3 TION OF THE BLOOD'S GENETIC MARKERS AND HAS PROVIDED SAMPLES OF
4 HIS OR HER SALIVA FOR CHEMICAL TESTING TO DETERMINE THE SECRETOR
5 STATUS OF THE SALIVA BEFORE THE JUVENILE IS DISCHARGED AS A STATE
6 WARD. HOWEVER, IF AT THE TIME THE JUVENILE IS TO BE DISCHARGED
7 THE DEPARTMENT OF STATE POLICE ALREADY HAS A SAMPLE OF THE
8 JUVENILE'S BLOOD OR SALIVA THAT MEETS THE REQUIREMENTS OF THE
9 RULES PROMULGATED UNDER THE DNA IDENTIFICATION PROFILING SYSTEM
10 ACT, ACT NO. 250 OF THE PUBLIC ACTS OF 1990, BEING SECTIONS
11 28.171 TO 28.176 OF THE MICHIGAN COMPILED LAWS, THE JUVENILE IS
12 NOT REQUIRED TO PROVIDE ANOTHER SAMPLE OF THE SAME BODY FLUID.
13 THE BLOOD OR SALIVA SAMPLES REQUIRED TO BE COLLECTED UNDER THIS
14 SECTION SHALL BE COLLECTED BY THE DEPARTMENT AND TRANSMITTED BY
15 THE DEPARTMENT TO THE DEPARTMENT OF STATE POLICE IN THE MANNER
16 PRESCRIBED BY RULES PROMULGATED UNDER THE DNA IDENTIFICATION PRO-
17 FILING SYSTEM ACT, ACT NO. 250 OF THE PUBLIC ACTS OF 1990.

18 Section 2. This amendatory act shall not take effect unless
19 Senate Bill No. ____ or House Bill No. 5783 (request no. 05773'95)
20 of the 88th Legislature is enacted into law.