



HOUSE BILL No. 6062

September 12, 1996, Introduced by Reps. Bodem, Law, Bush, Ryan, Hill, Rhead, Goschka, Rocca and McManus and referred to the Committee on Judiciary and Civil Rights.

A bill to amend the title of 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; and to add section 7a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

5 TITLE

6 An act to provide for the acceptance, ~~and~~ care, AND
7 DISCHARGE of youths committed to the department ~~of social~~
8 ~~services~~ as state wards; to prescribe the liability of counties
9 for the cost of services for state wards; to prescribe procedures

1 for the return of state wards who absent themselves without
2 permission; to provide a penalty for the violation of this act;
3 and to repeal ~~certain~~ acts and parts of acts.

4 SEC. 7A. (1) A STATE WARD UNDER THE JURISDICTION OF THE
5 DEPARTMENT FOR A VIOLATION OF SECTION 91, 316, OR 317 OF THE
6 MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
7 BEING SECTIONS 750.91, 750.316, AND 750.317 OF THE MICHIGAN
8 COMPILED LAWS, OR A VIOLATION OR ATTEMPTED VIOLATION OF SECTION
9 349, 520B, 520C, 520D, 520E, OR 520G OF ACT NO. 328 OF THE PUBLIC
10 ACTS OF 1931, BEING SECTIONS 750.349, 750.520B, 750.520C,
11 750.520D, 750.520E, AND 750.520G OF THE MICHIGAN COMPILED LAWS,
12 WHO IS PLACED IN A RESIDENTIAL FACILITY OTHER THAN HIS OR HER OWN
13 HOME SHALL NOT BE DISCHARGED FROM WARDSHIP UNTIL HE OR SHE HAS
14 PROVIDED SAMPLES FOR CHEMICAL TESTING FOR DNA IDENTIFICATION PRO-
15 FILING OR A DETERMINATION OF THE SAMPLE'S GENETIC MARKERS AND HAS
16 PROVIDED SAMPLES FOR A DETERMINATION OF HIS OR HER SECRETOR
17 STATUS. HOWEVER, IF AT THE TIME THE STATE WARD IS TO BE DIS-
18 CHARGED THE DEPARTMENT OF STATE POLICE ALREADY HAS A SAMPLE FROM
19 THE STATE WARD THAT MEETS THE REQUIREMENTS OF THE RULES PROMUL-
20 GATED UNDER THE DNA IDENTIFICATION PROFILING SYSTEM ACT, ACT
21 NO. 250 OF THE PUBLIC ACTS OF 1990, BEING SECTIONS 28.171 TO
22 28.176 OF THE MICHIGAN COMPILED LAWS, THE STATE WARD IS NOT
23 REQUIRED TO PROVIDE ANOTHER SAMPLE.

24 (2) THE SAMPLES REQUIRED TO BE COLLECTED UNDER THIS SECTION
25 SHALL BE COLLECTED BY THE DEPARTMENT AND TRANSMITTED BY THE
26 DEPARTMENT TO THE DEPARTMENT OF STATE POLICE IN THE MANNER

1 PRESCRIBED BY RULES PROMULGATED UNDER THE DNA IDENTIFICATION
2 PROFILING SYSTEM ACT, ACT NO. 250 OF THE PUBLIC ACTS OF 1990.

3 (3) THE DEPARTMENT MAY COLLECT A SAMPLE UNDER THIS SECTION
4 REGARDLESS OF WHETHER THE STATE WARD CONSENTS TO THE COLLECTION.
5 THE DEPARTMENT IS NOT REQUIRED TO GIVE THE STATE WARD AN OPPORTU-
6 NITY FOR A HEARING OR OBTAIN A COURT ORDER BEFORE COLLECTING THE
7 SAMPLE.

8 (4) AS USED IN THIS SECTION, "SAMPLE" MEANS A PORTION OF A
9 STATE WARD'S BLOOD, SALIVA, OR TISSUE COLLECTED FROM THE STATE
10 WARD.

11 Section 2. This amendatory act shall not take effect unless
12 all of the following bills of the 88th Legislature are enacted
13 into law:

14 (a) House Bill No. 5783.

15 (b) House Bill No. 5912.

16 (c) Senate Bill No. _____ or House Bill No. 6061

17 (request no. 07713'96).