

HOUSE BILL No. 5059

July 16, 1997, Introduced by Reps. Brackenridge and Jelinek and referred to the Committee on Health Policy.

A bill to amend 1994 PA 35, entitled "The forensic laboratory funding act," by amending the title and section 2 (MCL 12.202); and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

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An act to create the state forensic laboratory fund; to

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authorize local forensic laboratory funds; to provide for assess-

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ments against certain criminal defendants; to provide for expen-

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ditures from the forensic laboratories funds; to make certain

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appropriations; to prescribe the powers and duties of certain

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departments and agencies and local units of government; and to

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repeal ~~this act on a specific date~~ ACTS AND PARTS OF ACTS.

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Sec. 2. As used in this act:

1 (a) "CSC offense" means a violation or attempted violation
2 of section 520b, 520c, 520d, 520e, or 520g of the Michigan penal
3 code, ~~Act No. 328 of the Public Acts of 1931, being sections~~
4 ~~750.520b, 750.520c, 750.520d, 750.520e, and 750.520g of the~~
5 ~~Michigan Compiled Laws~~ 1931 PA 328, MCL 750.520B, 750.520C,
6 750.520D, 750.520E, AND 750.520G.

7 (b) "Forensic laboratory" means a laboratory maintained by
8 the department of state police or a municipality that meets ~~all~~
9 BOTH of the following criteria:

10 (i) Has at least 1 regularly employed forensic scientist who
11 conducts analyses of controlled substances or androgenic anabolic
12 steroids for criminal justice agencies in criminal matters, and
13 provides testimony with respect to those analyses.

14 (ii) Is registered as an analytical laboratory with the drug
15 enforcement administration of the United States department of
16 justice for possessing all scheduled controlled substances.

17 ~~(iii) Has at least 1 regularly employed forensic scientist~~
18 ~~who conducts forensic tests other than those described in sub-~~
19 ~~paragraph (i) and provides testimony with respect to those foren-~~
20 ~~sic tests.~~

21 (c) "Forensic test" means a drug analysis, toxicology analy-
22 sis, or other forensic analysis or examination in areas includ-
23 ing, but not limited to, latent prints, microchemistry, serology,
24 firearms, toolmarks, or questioned documents. Forensic test does
25 not include an analysis of the alcohol content of an individual's
26 breath.

1 (d) "Municipality" means a county, township, city, or
2 village.

3 Enacting section 1. Section 12 of the forensic laboratory
4 funding act, 1994 PA 35, MCL 12.212, is repealed.