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**SFA****BILL ANALYSIS**

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Senate Bill 560 (as reported without amendment)  
Sponsor: Senator Art Miller, Jr.  
Committee: Judiciary

### **CONTENT**

The bill would amend the bureau of criminal identification Act to create an exception to certain fingerprinting requirements. The Act provides that, immediately upon a person's arrest for a felony or a misdemeanor for which the maximum possible penalty exceeds 92 days' imprisonment and/or a maximum fine of \$1,000, or for a juvenile offense, the arresting law enforcement agency must take the person's fingerprints and forward them to the Department of State Police within 72 hours.

The bill would permit (rather than require) an arresting law enforcement agency to take the fingerprints of a person arrested for a misdemeanor that was a violation of a local ordinance for which the maximum penalty exceeded 92 days' imprisonment and that substantially corresponded to a violation of State law that was a misdemeanor whose maximum term of imprisonment exceeded 92 days. The fingerprints could not be forwarded to the Department of State Police before conviction. If the person were convicted, the law enforcement agency would have to take the person's fingerprints, if not previously taken, and forward them within 72 hours after the conviction in the same manner as required for the fingerprints of a person arrested for a felony or a misdemeanor for which the maximum penalty exceeded 92 days' imprisonment. The law enforcement agency would have to indicate the statutory citation for the State law to which the local ordinance substantially corresponded.

The bill would take effect October 1, 1999. It is tie-barred to Senate Bills 556 through 559, and to House Bills 4580 through 4584.

MCL 28.243

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bill would have a minimal fiscal impact on State and local law enforcement agencies.

Date Completed: 5-11-99

Fiscal Analyst: B. Baker

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Analysis available @ <http://www.michiganlegislature.org>

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