

Act No. 30
Public Acts of 2000
Approved by the Governor
March 14, 2000
Filed with the Secretary of State
March 15, 2000
EFFECTIVE DATE: March 15, 2000

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

**Introduced by Senators Rogers, Gougeon, Schwarz, Goschka, Hammerstrom, Johnson, Shugars, Sikkema
and McCotter**

ENROLLED SENATE BILL No. 594

AN ACT to amend 1990 PA 250, entitled "An act to provide for a DNA identification profiling system; to provide for the collection of samples from certain prisoners, convicted offenders, and juvenile offenders and the analysis of those samples; and to prescribe the powers and duties of certain state departments and county agencies," by amending section 6 (MCL 28.176), as amended by 1996 PA 508.

The People of the State of Michigan enact:

Sec. 6. (1) The department shall permanently retain a DNA identification profile of an individual obtained from a sample in the manner prescribed by the department under this act if that individual is convicted of or found responsible for a violation of section 91, 316, or 317 of the Michigan penal code, 1931 PA 328, MCL 750.91, 750.316, and 750.317, or a violation or attempted violation of section 349, 520b, 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.349, 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g. Any other DNA identification profile obtained by the department shall not be permanently retained by the department but shall be retained only as long as it is needed for a criminal investigation or criminal prosecution.

(2) If the state police forensic laboratory determines after analysis that a sample has been submitted by an individual who has been eliminated as a suspect in a crime, the laboratory shall dispose of the sample and the DNA identification profile record in the following manner:

(a) The laboratory shall dispose of the sample in compliance with section 13811 of the public health code, 1978 PA 368, MCL 333.13811.

(b) The laboratory shall dispose of the sample and the DNA identification profile record in the presence of a witness.

(3) After disposal in accordance with subsection (2), the laboratory shall make and keep a written record of the disposal, signed by the individual who witnessed the disposal.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Sam E. Randall

Clerk of the House of Representatives.

Approved _____

Governor.