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Senate Bills 478 and 479 (as reported without amendment)  
Sponsor: Senator Shirley Johnson  
Committee: Judiciary

## **CONTENT**

Senate Bill 478 would amend Public Act 289 of 1925, which governs fingerprinting, to expand the fingerprinting of juveniles, provide for electronic fingerprinting, and provide for the destruction of fingerprints. Specifically, the bill would do the following:

- Redefine "juvenile offense" to include any felony or misdemeanor, instead of the specific offenses currently listed.
- Delete the requirement that fingerprints be taken in duplicate.
- Allow the Department of State Police to prescribe the format of required information, instead of providing forms.
- Require the State Police to send an arrest card (which could be paper or electronic), rather than a set of fingerprints, to the FBI.
- Permit a law enforcement agency to forward to the State Police fingerprints of a person arrested for a misdemeanor (for which fingerprinting is not required), before conviction.
- Require fingerprints and arrest cards to be destroyed, instead of returned to a person, under certain circumstances.
- Include misdemeanor arrests in criminal history record information.
- Allow fingerprints taken for noncriminal identification purposes to be used for criminal identification purposes.

Senate Bill 479 would amend provisions of the Code of Criminal Procedure under which courts are required to report the disposition of criminal charges to the Department of State Police. In addition to the current requirements, the bill would require a court clerk to report the final disposition of a misdemeanor in a case in which the appropriate court was notified that fingerprints were forwarded to the State Police. The bill also would rewrite provisions under which court clerks are not required to report misdemeanor convictions in certain cases.

The bills are tie-barred to each other.

MCL 28.241 et al. (S.B. 478)  
769.16a (S.B. 479)

Legislative Analyst: S. Lowe

## **FISCAL IMPACT**

Senate Bill 478 would require the Department of State Police and local law enforcement to follow new procedures which would most likely result in moderate cost savings to those organizations.

Senate Bill 479 would have no fiscal impact on State or local government.

Date Completed: 5-29-01

Fiscal Analyst: B. Baker  
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Analysis available @ <http://www.michiganlegislature.org>

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