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House Bill 4633 (Substitute S-3 as reported by the Committee of the Whole)

Sponsor: Representative William O'Neil

House Committee: Criminal Justice

Senate Committee: Judiciary

## **CONTENT**

The bill would amend the Youth Rehabilitation Services Act to do the following:

- Require certain public wards to provide samples for DNA identification profiling.
- Require a public ward subject to DNA profiling to pay a \$60 assessment.
- Require the Family Independence Agency to transmit assessments collected to the Department of Treasury for the Department of State Police's forensic science division.
- Limit the disclosure of DNA profiles to certain purposes (as described in House Bills 4611 (S-4), 4612 (S-2), and 4613 (S-4)).

The bill would take effect on January 1, 2002, and is tie-barred to House Bills 4610 through 4613 and Senate Bills 389, 393, and 394.

The Act prohibits a public ward under a youth agency's jurisdiction from being placed in community placement of any kind or from being released from wardship until he or she provides samples for DNA profiling, if the ward is under the youth agency's jurisdiction for attempted murder; first-degree murder; second-degree murder; kidnapping; first-, second-, third-, or fourth-degree criminal sexual conduct (CSC); or assault with intent to commit CSC. Under the bill, the DNA requirements would apply to a public ward found responsible for any of those offenses; assault with intent to commit murder; manslaughter; being disorderly by committing window peeping or engaging in indecent or obscene conduct in public; indecent exposure; or a local ordinance substantially corresponding to the disorderly conduct or indecent exposure violations.

The DNA requirements also would apply to a public ward who had been convicted of any felony or attempted felony or any of the following misdemeanors or a substantially corresponding local ordinance: enticing a child for immoral purposes; being disorderly by committing window peeping, engaging in indecent or obscene conduct in public, or loitering in a house of ill fame or prostitution; indecent exposure; a first or second conviction of various prostitution violations; leasing a house for purposes of prostitution; or taking, conveying, employing, receiving, or detaining a female under 17 years old in a house of prostitution.

MCL 803.307a

Legislative Analyst: P. Affholter

## **FISCAL IMPACT**

Please see **FISCAL IMPACT** on House Bill 4610 (S-3).

Date Completed: 6-13-01

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