

HOUSE BILL No. 4633

April 19, 2001, Introduced by Reps. O'Neil, Mans, Kowall, George, Faunce, Julian and Kooiman and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1974 PA 150, entitled
"Youth rehabilitation services act,"
by amending section 7a (MCL 803.307a), as amended by 1998 PA
517.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7a. (1) A public ward under a youth agency's jurisdic-
2 tion for a violation ~~of section 91, 316, or 317 of the Michigan~~
3 ~~penal code, 1931 PA 328, MCL 750.91, 750.316, and 750.317, or a~~
4 ~~violation or attempted violation of section 349, 520b, 520c,~~
5 ~~520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, MCL~~
6 ~~750.349, 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g~~ OR
7 ATTEMPTED VIOLATION OF A LAW OF THIS STATE THAT IS A FELONY OR
8 THAT WOULD BE A FELONY IF COMMITTED BY AN ADULT OR A VIOLATION OR
9 ATTEMPTED VIOLATION OF SECTION 520E OF THE MICHIGAN PENAL CODE,
10 1931 PA 328, MCL 750.520E, shall not be placed in a community

1 placement of any kind and shall not be discharged from wardship
2 until he or she has provided samples for chemical testing for DNA
3 identification profiling or a determination of the sample's gene-
4 tic markers and has provided samples for a determination of his
5 or her secretor status. However, if at the time the public ward
6 is to be discharged from public wardship the department of state
7 police already has a sample from the public ward that meets the
8 requirements of the rules promulgated under the DNA identifica-
9 tion profiling system act, 1990 PA 250, MCL 28.171 to 28.176, the
10 public ward is not required to provide another sample.

11 (2) The samples required to be collected under this section
12 shall be collected by the youth agency and transmitted to the
13 department of state police in the manner prescribed by rules
14 promulgated under the DNA identification profiling system act,
15 1990 PA 250, MCL 28.171 to 28.176.

16 (3) The youth agency may collect a sample under this section
17 regardless of whether the public ward consents to the
18 collection. The youth agency is not required to give the public
19 ward an opportunity for a hearing or obtain a court order before
20 collecting the sample.

21 (4) As used in this section, "sample" means a portion of a
22 public ward's blood, saliva, or tissue collected from the public
23 ward.

24 Enacting section 1. This amendatory act does not take
25 effect unless all of the following bills of the 91st Legislature
26 are enacted into law:

1 (a) Senate Bill No. _____ or House Bill No. 4610 (request
2 no. 02654'01).

3 (b) Senate Bill No. _____ or House Bill No. 4611 (request
4 no. 02654'01 a).

5 (c) Senate Bill No. _____ or House Bill No. 4613 (request
6 no. 02654'01 b).

7 (d) Senate Bill No. _____ or House Bill No. 4612 (request
8 no. 02654'01 c).

9 (e) Senate Bill No. _____ or House Bill No. 4614 (request
10 no. 02654'01 d).