



Senate Fiscal Agency  
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## BILL ANALYSIS

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Senate Bill 1412 (Substitute S-1 as passed by the Senate)  
Sponsor: Senator Alan Sanborn  
Committee: Families and Human Services

Date Completed: 9-25-06

### **RATIONALE**

The Federal Adam Walsh Child Protection and Security Act was enacted in 2006 to create a national registry of sex offenders, and to establish other measures to enable greater tracking and prosecution of sex offenders. The Act also includes a provision requiring the U.S. Secretary of Health and Human Services to create a national registry of cases of child abuse or neglect. Under Section 633 of the Act, the registry must collect information reported to states, Indian tribes, and subdivisions of states on perpetrators of a substantiated case of child abuse or neglect. The information must contain case-specific identifying information that is limited to the name of the perpetrator and the nature of the child abuse or neglect. Section 633 specifies that if a state, Indian tribe, or political subdivision of a state has an equivalent electronic registry, the information provided to the Secretary of Health and Human Services must be coextensive with the information in that registry.

In Michigan, a statewide registry of cases of child abuse or neglect is required under the Child Protection Law. Maintained by the Department of Human Services (DHS), the central registry is a confidential record available only to certain governmental agencies, law enforcement agencies, courts, child care organizations, and authorized individuals. It has been suggested that the U.S. Secretary of Health and Human Services should be given access to the registry to meet the requirements of the Adam Walsh Act.

### **CONTENT**

**The bill would amend the Child Protection Law (CPL) to permit the DHS to report certain information on perpetrators of child abuse or neglect contained in the central registry to the U.S. Secretary of Health and Human Services.**

The CPL requires the DHS to maintain a statewide, electronic central registry, which is used to keep a record of all reports filed with the Department in which relevant and accurate evidence of child abuse or neglect is found to exist.

The bill would add the United States Secretary of Health and Human Services to the people who have access to the registry, for the purpose of meeting the requirements of Section 633 of the Federal Adam Walsh Child Protection and Safety Act of 2006.

MCL 722.627

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

#### **Supporting Argument**

The central registry in Michigan was created in part to be used as a screening device, in order to prevent individuals who have committed child abuse or neglect from working in child care centers or in other places where they would be in contact with children. The Federal registry required under the Adam Walsh Child Protection and Security Act will serve similar purposes, but

will track individuals across the country. The bill would give the DHS the authority to contribute to the Federal efforts under that Act, allowing information from Michigan to be combined with information from other states and Indian tribes.

Legislative Analyst: Curtis Walker

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State government. The transmission of confidential data would require administrative costs for DHS data management and oversight, and information technology systems development. It is not known what the actual development and operations costs would be at this time.

Fiscal Analyst: Constance Cole

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.