

**SUBSTITUTE FOR
HOUSE BILL NO. 5841**

A bill to create the methamphetamine reporting act; to prescribe the powers and duties of certain state and local departments and agencies; to require certain reports by certain persons; and to prohibit the disclosure of certain information under certain circumstances.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "methamphetamine reporting act".

3 Sec. 2. (1) The department shall compile information regarding
4 methamphetamine manufacture, use, possession, and distribution in
5 this state, as provided under this act.

6 (2) The department shall obtain information for purposes of
7 subsection (1) from all of the following:

1 (a) The department.

2 (b) The departments of community health, human services,
3 natural resources, environmental quality, and corrections.

4 (c) Each local police agency in this state. As used in this
5 subdivision, "local police agency" means all of the following:

6 (i) The police department of a city, village, or township.

7 (ii) The county sheriff.

8 (iii) The police department or public safety department of a
9 hospital, community college, college, or university.

10 (3) The department shall provide, and shall require each
11 entity described in subsection (2) to provide to the department,
12 information regarding all of the following, as applicable:

13 (a) The name and address of the reporting entity.

14 (b) Whether the incident involved primarily the manufacture,
15 possession, use, or distribution of methamphetamine.

16 (c) The city, village, or township and the county in which the
17 incident occurred.

18 (d) Whether an individual less than 18 years of age was
19 present at the scene when the incident took place.

20 (4) The department shall implement procedures to ensure that
21 information provided by the entities described in subsection (2) is
22 coordinated to prevent duplicative information from being obtained.

23 (5) Each agency described in subsection (2) shall report the
24 information required under subsection (3) to the department in the
25 manner required by the department.

26 (6) This section does not require or authorize the disclosure
27 of information that is privileged or otherwise restricted by law.

1 (7) Except as provided in section 4, information submitted to
2 the department under this act by a state or local department or
3 agency is confidential and is not subject to disclosure under the
4 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

5 Sec. 3. (1) The department shall file a written report not
6 later than April 1 of each year with the secretary of the senate
7 and the clerk of the house of representatives using the information
8 obtained under section 2 identifying trends in methamphetamine
9 manufacture, use, and distribution in this state and making
10 recommendations to the legislature regarding possible solutions to
11 those problems.

12 (2) The department shall make a copy of the report filed under
13 subsection (1) available to the public on the department's website.

14 Sec. 4. The department shall provide information obtained
15 under this act to the United States department of justice or an
16 entity designated by the United States department of justice for
17 receiving that information, in the manner required by the United
18 States department of justice or that entity, for the purpose of
19 obtaining federal funds.

20 Sec. 5. The department may promulgate rules under the
21 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
22 24.328, to implement this act.

23 Sec. 6. As used in this act, "department" means the department
24 of state police.

25 Enacting section 1. This act takes effect October 1, 2006.