

# SENATE BILL No. 812

October 18, 2005, Introduced by Senators McMANUS, GARCIA, BIRKHOLZ and KUIPERS and referred to the Committee on Judiciary.

A bill to amend 1974 PA 163, entitled  
"L.E.I.N. policy council act of 1974,"  
by amending section 4 (MCL 28.214), as amended by 2000 PA 320.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1       Sec. 4. (1) The council shall do all of the following:
- 2           (a) Establish policy and promulgate rules regarding the
- 3 operational procedures to be followed by agencies using the law
- 4 enforcement information network. The policy and rules shall do all
- 5 of the following:
- 6           (i) Ensure access to locator information obtained through the
- 7 law enforcement information network by state and federal agencies
- 8 and the friend of the court for enforcement of child support
- 9 programs as provided under state and federal law.

1           (ii) Ensure access to information of an individual being  
2 investigated by a state or county employee who is engaged in the  
3 enforcement of the child protection laws or rules of this state.

4           (iii) Authorize a fire chief of an organized fire department or  
5 his or her designee to request and receive information obtained  
6 through the law enforcement information network by a law  
7 enforcement agency for the following purposes:

8           (A) A preemployment criminal convictions history.

9           (B) A preemployment driving record.

10          (C) Vehicle registration information for vehicles involved in  
11 a fire or hazardous materials incident.

12          (iv) Authorize a public or private school superintendent,  
13 principal, or assistant principal to receive vehicle registration  
14 information, of a vehicle within 1,000 feet of school property,  
15 obtained through the law enforcement information network by a law  
16 enforcement agency.

17          (v) **AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO RECEIVE**  
18 **INFORMATION FOR THE PURPOSE OF DETERMINING IF PUBLIC ASSISTANCE**  
19 **RECIPIENTS ARE SUBJECT TO ARREST UNDER AN OUTSTANDING WARRANT AS**  
20 **DESCRIBED IN SECTION 10A OF THE SOCIAL WELFARE ACT, 1939 PA 280,**  
21 **MCL 400.10A. THIS INFORMATION SHALL BE PROVIDED EVERY 30 DAYS AND**  
22 **IN THE SAME MANNER AS FUGITIVE FELON INFORMATION IS PROVIDED TO THE**  
23 **UNITED STATES SOCIAL SECURITY ADMINISTRATION UNDER 5 USC 552A(O).**

24          (b) Review applications for network terminals and approve or  
25 disapprove the applications and the sites for terminal  
26 installations. If an application is disapproved, the applicant  
27 shall be notified in writing of the reasons for disapproval.

1 (c) Establish minimum standards for terminal sites and  
2 installation.

3 (2) A person shall not disclose information from the law  
4 enforcement information network to a private entity for any  
5 purpose, including, but not limited to, the enforcement of child  
6 support programs.

7 (3) A person shall not disclose information from the law  
8 enforcement information network in a manner that is not authorized  
9 by law or rule.

10 (4) A person who violates subsection (2) or (3) is:

11 (a) For a first offense, guilty of a misdemeanor punishable by  
12 imprisonment for not more than 90 days or a fine of not more than  
13 \$500.00, or both.

14 (b) For a second or subsequent offense, guilty of a felony  
15 punishable by imprisonment for not more than 4 years or a fine of  
16 not more than \$2,000.00, or both.