

Legislative Analysis



DNA SAMPLES AND PROFILES

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House Bill 6645 as introduced
Sponsor: Rep. Rebekah Warren

House Bill 6646 (Substitute H-1)
Sponsor: Rep. Kate Ebli

Committee: Judiciary

Complete to 12-4-08

A SUMMARY OF HOUSE BILLS 6645 & 6646 AS REPORTED FROM COMMITTEE

Currently, adults convicted of any felony or certain specified misdemeanors, and juveniles found responsible for certain felonies and misdemeanors, are required to provide a DNA sample. From this sample, a profile is obtained of 13 genetic markers unique to each individual. The profile itself consists of a digital readout of numbers and letters. It does not contain information from which a person's sex, race, or health status could be determined.

House Bill 6645 would amend the DNA Identification Profiling System Act (MCL 28.173a). Currently, if the investigating law enforcement agency or the Department of State Police already has a DNA sample from an individual, then another sample does not have to be collected upon conviction. Under the bill, if the DNA sample was inadequate for purposes of analysis, the individual would have to provide another DNA sample that was adequate for analysis.

House Bill 6646 would add a new section to the same act (MCL 28.175) to restrict the use of DNA profiles of lawfully obtained DNA samples by the Department of State Police to only one or more of the following purposes:

- Law enforcement identification purposes.
- Assisting in the recovery or identification of human remains or missing persons.
- Academic, research, statistical analysis, or protocol development purposes only if personal identifiers were removed.

Further, DNA samples provided under the act could not be analyzed for identification of any medical or genetic disorder.

FISCAL IMPACT:

The bills would have no fiscal impact on state or local units of government.

POSITIONS:

The Department of State Police indicated support for the bills. (12-3-08)

The American Civil Liberties Union of Michigan indicated support for the bills. (12-3-08)

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