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Senate Bill 346 (as reported without amendment)
Sponsor: Senator Tonya Schuitmaker
Committee: Judiciary

CONTENT

The bill would amend the Corrections Code to revise requirements pertaining to the DNA identification profiling of prisoners, and to extend the DNA profiling requirement to probationers placed under the jurisdiction of the Department of Corrections (DOC) in the special alternative incarceration (SAI) program (which also is known as "boot camp").

Under the Code, a prisoner may not be released on parole, placed in a community placement facility of any kind, or discharged upon completion of his or her maximum sentence until he or she has provided samples for DNA identification profiling or a determination of the samples' genetic markers and has provided samples for a determination of his or her secretor status. Under the bill, instead, each prisoner serving a sentence in a State correctional facility, and each probationer placed in the SAI program, would have to provide a sample for DNA identification profiling. If a sample had not already been collected and recorded, it would have to be obtained within the time periods described below.

For a prisoner or a probationer in an SAI program on June 1, 2011, the sample would have to be obtained by December 1, 2011. If the prisoner or probationer were released on parole, placed in a community placement facility of any kind, or discharged upon completion of his or her sentence before December 1, 2011, the sample would have to be obtained before the date of release, placement, or discharge. For a prisoner or an SAI probationer whose sentence began after June 1, 2011, the sample would have to be obtained within 90 days after he or she was committed to the DOC's jurisdiction.

The Code requires a prisoner to pay a \$60 assessment, which the DOC must transmit to the Department of Treasury for the Department of State Police Forensic Science Division to defray the costs associated with the requirements of DNA profiling and DNA retention. Under the bill, the DOC would have to collect the assessment from a prisoner or an SAI probationer.

MCL 791.233d

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. Under current law, probationers enrolled in programming at the SAI facility are not required to submit DNA samples. To the extent that the Department of Corrections required added resources in order to collect DNA samples from every prisoner and every probationer housed at the SAI facility, additional expenditures could be incurred.

Date Completed: 5-11-11

Fiscal Analyst: Matthew Grabowski