

Legislative Analysis



FINGERPRINTING CHILDREN/YOUTH WITH SPECIAL HEALTH CARE NEEDS

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**Senate Bill 383 (reported from House committee
without amendment)**

Sponsor: Sen. Rick Jones

House Committee: Judiciary

Senate Committee: Judiciary

Complete to 6-20-17

(Public Act 103 of 2017)

BRIEF SUMMARY: The bill would amend the Child Identification and Protection Act to provide that certain conditions that govern fingerprinting a child would not apply to the fingerprinting of a child or youth with special health care needs.

FISCAL IMPACT: Senate Bill 383 would have no fiscal impact on the Department of State Police or local law enforcement agencies.

THE APPARENT PROBLEM:

The Child Identification and Protection Act was recently amended by Public Acts 24 and 25 of 2017 (House Bill 4137 and Senate Bill 38, respectively) to create a new subsection that allows a parent or guardian of *a child or youth with special health care needs* to volunteer the child's or youth's fingerprints and photograph to the Department of State Police, or an MSP-approved entity, for the purpose of distribution if that child or youth becomes missing or a runaway. Public Acts 24 & 25 take effect August 2, 2017.¹

The Senate Bill seeks to make technical corrections to the recent Public Acts to make sure the new provisions only apply to children or youth with special health care needs.

THE CONTENT OF THE BILL:

Section 4(1) of the Child Identification and Protection Act describes the conditions that govern a governmental unit's authority to fingerprint a child. Senate Bill 383 specifies that this subsection does not apply to fingerprints taken from a child or youth with special health care needs. The fingerprinting of those children and youth are covered under a separate subsection (2) added by the two new public acts that take effect August 2nd. Correspondingly, Senate Bill 383 would also take effect August 2nd.

Senate Bill 383 also makes it clear that fingerprints are only forwarded to the FBI for children or youth with special health care needs, and not for other children without special health care needs.

¹ For analysis of House Bill 4137 and Senate Bill 38, see:
<http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-4137-ED87F42D.pdf>

("Child or youth with special health care needs" means a single or married individual under 21 years of age whose activity is or may become so restricted by disease or specified medical condition as to reduce the individual's normal capacity for education and self-support.)

HOUSE COMMITTEE ACTION:

No amendments or substitutes were adopted.

POSITIONS:

A representative from Michigan State Police indicated support for the bill. (6-20-17)

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