

PUBLIC EMPLOYEE FINGERPRINT-BASED CRIMINAL HISTORY CHECK ACT (EXCERPT)
Act 427 of 2018

15.653 Safeguards for protecting federal tax information; current and prospective employees; criminal history check; results exempt from disclosure; exceptions.

Sec. 3. (1) Each agency in this state that determines it must do so to comply with publication 1075 shall develop a written policy that ensures that its current and prospective employees who may have access to federal information databases in the course of his or her employment undergo the fingerprint-based criminal history check required by publication 1075.

(2) Except as otherwise provided in subsections (3), (4), and (5), the results of a criminal history check conducted under this act are confidential and are not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(3) The results of a fingerprint-based criminal history check may be provided to the Internal Revenue Service or other federal governmental entity as required by federal regulation or law.

(4) The results of a fingerprint-based criminal history check conducted under this act may only be provided to an agency and must not be shared with a vendor or contractor providing employees to an agency under a contract between a vendor or contractor and an agency. However, the results may be shared between a requesting agency and another agency in this state.

(5) In circumstances in which the civil service manages human resource functions for an agency under an executive order, the results of a fingerprint-based criminal history check may be shared between the agency and the civil service staff providing human resource services to the agency.

History: 2018, Act 427, Eff. Mar. 20, 2019.