

CYBER CIVILIAN CORPS ACT (EXCERPT)
Act 132 of 2017

18.225 Criminal history check and criminal records check.

Sec. 5. (1) When an individual accepts an invitation to serve as a Michigan cyber civilian corps volunteer or advisor as described in section 4, the department shall request the department of state police to do both of the following:

(a) Conduct a criminal history check on the individual.

(b) Conduct a criminal records check through the Federal Bureau of Investigation on the individual.

(2) An individual who accepts an invitation to the Michigan cyber civilian corps shall give written consent in the volunteer agreement for the department of state police to conduct the criminal history check and criminal records check required under this section. The department shall require the individual to submit his or her fingerprints to the department of state police and the Federal Bureau of Investigation for the criminal records check.

(3) The department shall request a criminal history check and criminal records check under this section on all individuals who wish to participate as Michigan cyber civilian corps volunteers or advisors. The department shall make the request on a form and in the manner prescribed by the department of state police.

(4) Within a reasonable time after receiving a complete request by the department for a criminal history check and criminal records check on an individual under this section, the department of state police shall conduct the criminal history check and provide a report of the results to the department. The report must indicate that the individual is cleared or not cleared to become a Michigan cyber civilian corps volunteer or advisor.

(5) Within a reasonable time after receiving a proper request by the department for a criminal records check on an individual under this section, the department of state police shall initiate the criminal records check with the Federal Bureau of Investigation. After receiving the results of the criminal records check from the Federal Bureau of Investigation, the department of state police shall provide a report to the department that indicates that the individual is cleared or not cleared to become a Michigan cyber civilian corps volunteer or advisor.

(6) If a criminal arrest fingerprint is subsequently submitted to the department of state police and matches against a fingerprint that was submitted pursuant to this act and stored in its automated fingerprint identification system (AFIS) database, the department of state police shall notify the department that the individual is still cleared or is no longer cleared to continue as a Michigan cyber civilian corps volunteer. When the department of state police is able to participate with the Federal Bureau of Investigation automatic notification system, then any subsequent arrest fingerprint submitted to the Federal Bureau of Investigation must also be reviewed by the department of state police. The department of state police shall provide a report to the department that indicates that the individual is still cleared or is no longer cleared to continue as a Michigan cyber civilian corps volunteer or advisor.

(7) If a background check results in previous criminal history, the individual may appeal to the director or his or her designee for nondeployable Michigan cyber civilian corps advisor status.

(8) Michigan cyber civilian corps volunteers or advisors may not engage in training until either the background check or appeal regarding the background check process has been completed.

History: 2017, Act 132, Eff. Jan. 24, 2018;—Am. 2020, Act 288, Eff. Mar. 24, 2021.