

DNA IDENTIFICATION PROFILING SYSTEM ACT (EXCERPT)
Act 250 of 1990

28.173 Rules.

Sec. 3. The department shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to implement this act, including, but not limited to, rules governing all of the following:

(a) The method of collecting samples in a medically approved manner by qualified persons and the types and number of samples to be collected by the following:

(i) The department of corrections from certain prisoners under section 33d of the corrections code of 1953, 1953 PA 232, MCL 791.233d.

(ii) Law enforcement agencies as provided under section 520m of the Michigan penal code, 1931 PA 328, MCL 750.520m, or certain juveniles under section 18k of chapter XIA of the probate code of 1939, 1939 PA 288, MCL 712A.18k.

(iii) The department of human services or a county juvenile agency, as applicable, from certain juveniles under section 7a of the youth rehabilitation services act, 1974 PA 150, MCL 803.307a, or section 5a of the juvenile facilities act, 1988 PA 73, MCL 803.225a. As used in this subparagraph, "county juvenile agency" means that term as defined in section 2 of the county juvenile agency act, 1998 PA 518, MCL 45.622.

(b) Distributing DNA database collection kits and instructions for collecting samples.

(c) Storing and transmitting to the department the samples described in subdivision (a).

(d) The DNA identification or genetic marker profiling of samples described in subdivision (a).

(e) The development, in cooperation with the federal bureau of investigation and other appropriate persons, of a system of filing, cataloging, retrieving, and comparing DNA identification profiles and computerizing this system.

(f) Protecting the privacy interests of individuals whose samples are analyzed under this act.

History: 1990, Act 250, Eff. Sept. 1, 1994;—Am. 1994, Act 166, Imd. Eff. June 17, 1994;—Am. 1996, Act 508, Imd. Eff. Jan. 9, 1997;—Am. 1998, Act 522, Imd. Eff. Jan. 12, 1999;—Am. 2014, Act 457, Eff. July 1, 2015.

Administrative rules: R 28.5051 et seq. of the Michigan Administrative Code.