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House Bill 5137 (Substitute H-3)
Sponsor: Rep. Jon Jellema
Committee: Judiciary

Complete to 11-30-98

A SUMMARY OF HOUSE BILL 5137 (Substitute H-3)

The bill would amend the LEIN Policy Council Act to expand the situations under which access to the law enforcement information network (LEIN) would be allowed, and to expand the penalties for unauthorized disclosure of information from the LEIN. A fire chief of an organized fire department or his or her designee would be allowed to request and receive information for pre-employment checks of either criminal convictions history and/or driving records. In addition, a fire chief or his or her designee could seek and receive vehicle registration information to determine ownership of vehicles that had been involved in a fire or hazardous materials incident.

While the penalties for unauthorized disclosure of LEIN information would remain the same for other unauthorized disclosures, the bill would provide specific and more severe penalties for disclosing information that had been provided under the bill's conditions. If a person who had received a record or information through one of the exceptions provided in the bill disclosed that information without authority, the person disclosing the information would be guilty of a felony. For the first such offense, the individual would be sentenced to no less than one year and no more than five years in prison and/or a fine of at least \$500 and no more than \$5,000. A second offense would be punished by at least two years and no more than seven years in prison and/or a fine of at least \$1,500 and no more than \$7,000. A third or subsequent offense would bring a prison term of no less than five years and no more than fifteen years and/or a fine of no less than \$5,000 or more than \$15,000.

MCL 28.214

Analyst: W. Flory

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