

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5137

A bill to amend 1974 PA 163, entitled
"L.E.I.N. policy council act of 1974,"
by amending section 4 (MCL 28.214), as amended by 1998 PA 82.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The council shall do all of the following:

2 (a) Establish policy and promulgate rules regarding the
3 operational procedures to be followed by agencies using the law
4 enforcement information network. The policy and rules shall
5 ~~ensure~~ DO ALL OF THE FOLLOWING:

6 (i) ENSURE access to locator information ~~contained in~~
7 OBTAINED THROUGH the law enforcement information network by state
8 and federal agencies and the friend of the court for enforcement
9 of child support programs as provided under state and federal
10 law.

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1 (ii) ENSURE ACCESS TO INFORMATION OF AN INDIVIDUAL BEING
2 INVESTIGATED BY A STATE OR COUNTY EMPLOYEE WHO IS ENGAGED IN THE
3 ENFORCEMENT OF THE CHILD PROTECTION LAWS OR RULES OF THIS STATE.

4 (iii) AUTHORIZE A FIRE CHIEF OF AN ORGANIZED FIRE DEPARTMENT
5 OR HIS OR HER DESIGNEE TO REQUEST AND RECEIVE INFORMATION
6 OBTAINED THROUGH THE LAW ENFORCEMENT INFORMATION NETWORK BY A LAW
7 ENFORCEMENT AGENCY FOR THE FOLLOWING PURPOSES:

8 (A) A PREEMPLOYMENT CRIMINAL CONVICTIONS HISTORY.

9 (B) A PREEMPLOYMENT DRIVING RECORD.

10 (C) VEHICLE REGISTRATION INFORMATION FOR VEHICLES INVOLVED
11 IN A FIRE OR HAZARDOUS MATERIALS INCIDENT.

12 (b) Review applications for network terminals and approve or
13 disapprove the applications and the sites for terminal
14 installations. If an application is disapproved, the applicant
15 shall be notified in writing of the reasons for disapproval.

16 (c) Establish minimum standards for terminal sites and
17 installation.

18 (2) A person shall not disclose information from the law
19 enforcement information network to a private entity for any pur-
20 pose, including, but not limited to, the enforcement of child
21 support programs.

22 (3) A person shall not disclose information from the law
23 enforcement information network in a manner that is not autho-
24 rized by law or rule. ~~A violation of this subsection is a mis-~~
25 ~~demeanor punishable by imprisonment for not more than 90 days or~~
26 ~~a fine of not more than \$500.00, or both. A second or subsequent~~
27 ~~violation of this subsection is a felony punishable by~~

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1 ~~imprisonment for not more than 4 years or a fine of not more than~~
2 ~~\$2,000.00, or both.~~

3 (4) A PERSON WHO VIOLATES SUBSECTION (2) OR (3) IS:

4 (A) FOR A FIRST OFFENSE, GUILTY OF A MISDEMEANOR PUNISHABLE
5 BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR A FINE OF NOT MORE
6 THAN \$500.00, OR BOTH.

7 (B) FOR A SECOND OR SUBSEQUENT OFFENSE, GUILTY OF A FELONY
8 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF
9 NOT MORE THAN \$2,000.00, OR BOTH.