

# SENATE BILL NO. 1193

October 13, 2020, Introduced by Senators LASATA, THEIS, ALEXANDER, LUCIDO, JOHNSON, SANTANA, CHANG, BAYER, BRINKS, IRWIN, WOJNO and HOLLIER and referred to the Committee on Judiciary and Public Safety.

A bill to amend 2014 PA 227, entitled  
"Sexual assault kit evidence submission act,"  
by amending section 3 (MCL 752.933).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3. (1) A health care facility that has obtained written  
2 consent to release sexual assault kit evidence shall notify the  
3 investigating law enforcement agency, if known, or the law  
4 enforcement agency having jurisdiction in that portion of the local  
5 unit of government in which the medical facility is located of that  
6 fact within 24 hours after obtaining that consent.

1           (2) A health care facility that has not obtained written  
2 consent to release any sexual assault kit evidence shall inform the  
3 individual from whom sexual assault kit evidence was obtained of  
4 its sexual assault kit evidence storage policy. The information  
5 provided under this subsection ~~shall~~**must** include a statement of  
6 the period for which that evidence will be stored before it is  
7 destroyed and how the individual can have the evidence released to  
8 the investigating law enforcement agency at a later date. Any  
9 sexual assault kit evidence that is not released to a law  
10 enforcement agency under this section ~~shall~~**must** be stored for a  
11 minimum of ~~1 year~~**2 years** before it is destroyed.