



Senate Fiscal Agency
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Senate Bill 1174 (as reported without amendment)
Sponsor: Senator Rosemary Bayer
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend Public Act 213 of 1965, which provides for the setting aside of convictions in certain criminal cases, to allow a Federal or State intelligence agency, the Michigan National Guard, or the National Guard of another state to access for certain purposes a nonpublic record of a conviction that was set aside.

MCL 780.623

BRIEF RATIONALE

Generally, nonpublic records of set-aside convictions are only made available to certain governmental entities, such as the judicial branch of State government and the Department of Corrections. According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, accessing the full scope of an individual's history is an essential part of employment investigations or duties of agencies such as the Federal Bureau of Investigation, which reportedly interviews old acquaintances during employment background checks. It has been suggested to expand access to nonpublic records to certain State and Federal agencies.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local governments.

Date Completed: 12-11-24

Fiscal Analyst: Bruce R. Baker