

# HOUSE BILL No. 4478

March 5, 1991, Introduced by Reps. Kosteva, Middaugh, Saunders, Weeks, Olshove, Pitoniak, Scott, Bouchard, Baade, McNutt, Anthony and DeMars and referred to the Committee on Judiciary.

A bill to amend section 6077 of Act No. 236 of the Public Acts of 1961, entitled as amended

"Revised judicature act of 1961,"

being section 600.6077 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 6077 of Act No. 236 of the Public Acts  
2 of 1961, being section 600.6077 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 6077. (1) Upon satisfactory proof of any of the  
5 grounds for civil arrest named in subsections (2) and (3) ~~or~~ OF  
6 section 6075, any judge of the court which rendered the judgment  
7 shall issue a warrant to arrest the judgment debtor.

8       (2) ~~The warrant shall issue under the hand of the judge in~~  
9 ~~behalf of the people of this state and shall be directed to the~~  
10 ~~sheriff, bailiff, or other officer of the county, district court~~

1 ~~district, or municipality within which the issuing judge is~~  
2 ~~serving. It~~ THE CIVIL ARREST WARRANT shall state the nature of  
3 the judgment and command that the judgment debtor be arrested and  
4 brought before the judge issuing the warrant, without delay.

5 (3) FOR A CIVIL ARREST WARRANT ISSUED UNDER SUBSECTION (1),  
6 A POLICE OFFICER OR OTHER PERSON DESIGNATED BY THE COURT IS  
7 AUTHORIZED TO ARREST AND BRING BEFORE THE ISSUING JUDGE A JUDG-  
8 MENT DEBTOR NAMED IN A CIVIL ARREST WARRANT ISSUED BY THAT JUDGE.

9 (4) ~~-(3)-~~ The warrant shall be accompanied by a copy of each  
10 affidavit, if any, on which the warrant was issued. The copies  
11 shall be certified by the judge who issued the warrant, and  
12 delivered to the judgment debtor at the time of serving the  
13 warrant.

14 (5) ~~-(4)-~~ The warrant shall be executed by the arrest of the  
15 judgment debtor and his OR HER delivery to the judge issuing the  
16 warrant, or, some other judge having jurisdiction of the case,  
17 and the holding of the judgment debtor until he OR SHE is commit-  
18 ted or discharged according to law.

19 (6) AS USED IN THIS SECTION, "POLICE OFFICER" MEANS EVERY  
20 SHERIFF OR SHERIFF'S DEPUTY; VILLAGE OR TOWNSHIP MARSHAL; OFFICER  
21 OF THE POLICE DEPARTMENT OF ANY CITY, VILLAGE, OR TOWNSHIP; ANY  
22 OFFICER OF THE MICHIGAN STATE POLICE; OR ANY PEACE OFFICER WHO IS  
23 TRAINED AND CERTIFIED PURSUANT TO THE MICHIGAN LAW ENFORCEMENT  
24 OFFICERS TRAINING COUNCIL ACT OF 1965, ACT NO. 203 OF THE PUBLIC  
25 ACTS OF 1965, BEING SECTIONS 28.601 TO 28.616 OF THE MICHIGAN  
26 COMPILED LAWS.