

# SENATE BILL No. 145

March 5, 1991, Introduced by Senators SCHWARZ and  
VAN REGENMORTER and referred to the Committee on  
Judiciary.

A bill to amend Act No. 175 of the Public Acts of 1927,  
entitled as amended

"The code of criminal procedure,"

as amended, being sections 760.1 to 776.21 of the Michigan  
Compiled Laws, by adding section 6c to chapter V.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 175 of the Public Acts of 1927, as  
2 amended, being sections 760.1 to 776.21 of the Michigan Compiled  
3 Laws, is amended by adding section 6c to chapter V to read as  
4 follows:

### CHAPTER V

5  
6 SEC. 6C. (1) A JUDGE MAY RELEASE UNDER THIS CHAPTER A  
7 DEFENDANT SUBJECT TO CONDITIONS REASONABLY NECESSARY FOR THE  
8 PROTECTION OF ANY PERSON. IF A JUDGE RELEASES A DEFENDANT  
9 SUBJECT TO CONDITIONS, THE JUDGE SHALL DO ALL OF THE FOLLOWING:

1 (A) STATE ON THE RECORD HIS OR HER FINDINGS OF THE NEED FOR  
2 THE CONDITIONS.

3 (B) STATE ON THE RECORD THE SPECIFIC CONDITIONS IMPOSED.

4 (C) INFORM THE DEFENDANT ON THE RECORD THAT IF THE DEFENDANT  
5 VIOLATES THE CONDITIONS OF RELEASE, THE DEFENDANT WILL BE SUBJECT  
6 TO ARREST WITHOUT A WARRANT AND MAY HAVE HIS OR HER BAIL FOR-  
7 FEITED OR REVOKED AND NEW CONDITIONS OF RELEASE IMPOSED, AND MAY  
8 BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN  
9 \$250.00 AND COSTS, OR IMPRISONED FOR NOT MORE THAN 30 DAYS, OR  
10 BOTH.

11 (2) AN ORDER ISSUED UNDER SUBSECTION (1) SHALL CONTAIN ALL  
12 OF THE FOLLOWING:

13 (A) A STATEMENT OF THE DEFENDANT'S FULL NAME.

14 (B) A STATEMENT OF THE DEFENDANT'S HEIGHT, WEIGHT, RACE,  
15 SEX, HAIR COLOR, AND EYE COLOR.

16 (C) A STATEMENT OF THE DATE THE CONDITIONS BECOME  
17 EFFECTIVE.

18 (D) A STATEMENT OF THE DATE ON WHICH THE ORDER WILL EXPIRE.

19 (E) A STATEMENT OF THE CONDITIONS IMPOSED.

20 (3) THE COURT SHALL IMMEDIATELY DIRECT A LAW ENFORCEMENT  
21 AGENCY WITHIN THE GEOGRAPHICAL JURISDICTION OF THE COURT, IN  
22 WRITING, TO ENTER THE INFORMATION CONTAINED IN AN ORDER ISSUED  
23 UNDER SUBSECTION (1) INTO THE LAW ENFORCEMENT INFORMATION  
24 NETWORK. IF THE ORDER IS AMENDED, THE COURT SHALL IMMEDIATELY  
25 ORDER THE LAW ENFORCEMENT AGENCY TO ENTER THE INFORMATION CON-  
26 TAINED IN THE AMENDED ORDER INTO THE LAW ENFORCEMENT INFORMATION  
27 NETWORK. IF THE ORDER IS RESCINDED, THE COURT SHALL IMMEDIATELY

1 ORDER THE LAW ENFORCEMENT AGENCY TO REMOVE THE INFORMATION  
2 CONTAINED IN THAT ORDER FROM THE LAW ENFORCEMENT INFORMATION  
3 NETWORK.

4 (4) A LAW ENFORCEMENT AGENCY WITHIN THE GEOGRAPHICAL JURIS-  
5 DICTION OF THE COURT SHALL IMMEDIATELY ENTER INFORMATION CON-  
6 TAINED IN AN ORDER OR AN AMENDED ORDER INTO THE LAW ENFORCEMENT  
7 INFORMATION NETWORK, OR SHALL REMOVE THE ORDER FROM THE LAW  
8 ENFORCEMENT INFORMATION NETWORK AS DIRECTED BY THE COURT UNDER  
9 SUBSECTION (3).

10 Section 2. This amendatory act shall not take effect unless  
11 Senate Bill No. 144  
12 of the 86th Legislature is enacted into law.