

SENATE BILL No. 412

July 11, 1991, Introduced by Senators WELBORN and DINGELL
and referred to the Committee on Family Law, Criminal
Law, and Corrections.

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

"The code of criminal procedure,"

as amended, being sections 769.1 to 769.28 of the Michigan
Compiled Laws, by adding section 16b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Chapter IX of Act No. 175 of the Public Acts of
2 1927, as amended, being sections 769.1 to 769.28 of the Michigan
3 Compiled Laws, is amended by adding section 16b to read as
4 follows:

5 CHAPTER IX

6 SEC. 16B. (1) IF A PERSON CHARGED WITH ANY OFFENSE IS FOUND
7 NOT GUILTY BY REASON OF INSANITY, THE CLERK OF THE COURT ENTERING
8 THE DISPOSITION SHALL IMMEDIATELY FILE A REPORT WITH THE
9 DEPARTMENT OF MENTAL HEALTH THAT CONTAINS THE NAME OF THE PERSON

1 AND OTHER INFORMATION CONCERNING THE PERSON'S ACQUITTAL THAT THE
2 DEPARTMENT OF MENTAL HEALTH CONSIDERS NECESSARY.

3 (2) BEFORE THE EXPIRATION OF 1 YEAR AFTER THE EFFECTIVE DATE
4 OF THIS SECTION, THE CLERK OF EACH COURT SHALL EXAMINE ITS
5 RECORDS FOR THE TIME PERIOD BETWEEN JANUARY 1, 1930 AND THE
6 EFFECTIVE DATE OF THIS SECTION AND FILE A REPORT WITH THE DEPART-
7 MENT OF MENTAL HEALTH UNDER SUBSECTION (1) FOR EACH PERSON WHO
8 WAS FOUND NOT GUILTY BY REASON OF INSANITY DURING THAT TIME
9 PERIOD.

10 (3) THE DEPARTMENT OF MENTAL HEALTH SHALL USE THE INFORMA-
11 TION OBTAINED FROM A REPORT FILED WITH THE DEPARTMENT UNDER SUB-
12 SECTION (1) OR (2) AS PROVIDED IN SECTION 2B OF ACT NO. 372 OF
13 THE PUBLIC ACTS OF 1927, BEING SECTION 28.422B OF THE MICHIGAN
14 COMPILED LAWS.

15 (4) A REPORT FILED WITH THE DEPARTMENT OF MENTAL HEALTH
16 UNDER SUBSECTION (1) OR (2) SHALL BE ON A FORM PRESCRIBED BY THE
17 DEPARTMENT OF MENTAL HEALTH AND APPROVED BY THE STATE COURT
18 ADMINISTRATOR.

19 Section 2. This amendatory act shall not take effect unless
20 Senate Bill No. 407

21 of the 86th Legislature is enacted into law.