

SENATE BILL No. 472

September 11, 1991, Introduced by Senators SCHWARZ, VAN
REGENMORTER, CISKY, WELBORN KELLY and DE GROW and
referred to the Committee on Judiciary.

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

"The code of criminal procedure,"

as amended, being sections 765.1 to 765.31 of the Michigan
Compiled Laws, by adding section 6c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Chapter V of Act No. 175 of the Public Acts of
2 1927, as amended, being sections 765.1 to 765.31 of the Michigan
3 Compiled Laws, is amended by adding section 6c to read as
4 follows:

CHAPTER V

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

1 MAKE A FINDING OF THE NEED FOR PROTECTIVE CONDITIONS AND INFORM
2 THE DEFENDANT ON THE RECORD, EITHER ORALLY OR BY A WRITING THAT
3 IS PERSONALLY DELIVERED TO THE DEFENDANT, OF THE SPECIFIC CONDI-
4 TIONS IMPOSED AND THAT IF THE DEFENDANT VIOLATES A CONDITION OF
5 RELEASE, HE OR SHE WILL BE SUBJECT TO ARREST WITHOUT A WARRANT
6 AND MAY HAVE HIS OR HER BAIL FORFEITED OR REVOKED AND NEW CONDI-
7 TIONS OF RELEASE IMPOSED, IN ADDITION TO ANY OTHER PENALTIES THAT
8 MAY BE IMPOSED IF THE DEFENDANT IS FOUND IN CONTEMPT OF COURT.

9 (2) AN ORDER OR AMENDED ORDER ISSUED UNDER SUBSECTION (1)
10 SHALL CONTAIN ALL OF THE FOLLOWING:

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

12 (B) A STATEMENT OF THE DEFENDANT'S HEIGHT, WEIGHT, RACE,
13 SEX, DATE OF BIRTH, HAIR COLOR, EYE COLOR, AND ANY OTHER IDENTI-
14 FYING INFORMATION THE COURT CONSIDERS APPROPRIATE.

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

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

18 (E) A STATEMENT OF THE CONDITIONS IMPOSED.

19 (3) THE COURT SHALL IMMEDIATELY DIRECT A LAW ENFORCEMENT
20 AGENCY WITHIN THE GEOGRAPHICAL JURISDICTION OF THE COURT, IN
21 WRITING, TO ENTER AN ORDER OR AMENDED ORDER ISSUED UNDER SUBSEC-
22 TION (1) INTO THE LAW ENFORCEMENT INFORMATION NETWORK AS PROVIDED
23 BY THE L.E.I.N. POLICY COUNCIL ACT OF 1974, ACT NO. 163 OF THE
24 PUBLIC ACTS OF 1974, BEING SECTIONS 28.211 TO 28.216 OF THE
25 MICHIGAN COMPILED LAWS. IF THE ORDER OR AMENDED ORDER IS
26 RESCINDED, THE COURT SHALL IMMEDIATELY ORDER THE LAW ENFORCEMENT

1 AGENCY TO REMOVE THE ORDER OR AMENDED ORDER FROM THE LAW
2 ENFORCEMENT INFORMATION NETWORK.

3 (4) A LAW ENFORCEMENT AGENCY WITHIN THE GEOGRAPHICAL JURIS-
4 DICTION OF THE COURT SHALL IMMEDIATELY ENTER AN ORDER OR AMENDED
5 ORDER INTO THE LAW ENFORCEMENT INFORMATION NETWORK AS PROVIDED BY
6 ACT NO. 163 OF THE PUBLIC ACTS OF 1974, OR SHALL REMOVE THE ORDER
7 OR AMENDED ORDER FROM THE LAW ENFORCEMENT INFORMATION NETWORK AS
8 DIRECTED BY THE COURT UNDER SUBSECTION (3).

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