



# SENATE BILL No. 136

January 13, 1993, Introduced by Senators SCHWARZ and  
VAN REGENMORTER 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 6b.

## 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 6b to read as  
4 follows:

### CHAPTER V

5  
6 SEC. 6B. (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 JURISDICTION OF THE COURT, IN WRITING, TO ENTER  
21 AN ORDER OR AMENDED ORDER ISSUED UNDER SUBSECTION (1) INTO THE  
22 LAW ENFORCEMENT INFORMATION NETWORK AS PROVIDED BY THE  
23 L.E.I.N. POLICY COUNCIL ACT OF 1974, ACT NO. 163 OF THE PUBLIC  
24 ACTS OF 1974, BEING SECTIONS 28.211 TO 28.216 OF THE MICHIGAN  
25 COMPILED LAWS. IF THE ORDER OR AMENDED ORDER IS RESCINDED, THE  
26 COURT SHALL IMMEDIATELY ORDER THE LAW ENFORCEMENT AGENCY TO

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

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

9       Section 2. This amendatory act shall not take effect unless  
10 Senate Bill No. 135  
11                               of the 87th Legislature is enacted into law.