



# SENATE BILL No. 976

January 18, 1994, Introduced by Senators Dingell, Welborn, Dillingham, Kelly, Cherry, Arthurhultz and Cisky and referred to the Committee on Family Law, Mental Health, and Corrections

A bill to amend section 14 of chapter 84 of the Revised Statutes of 1846, entitled  
"Of divorce,"

as amended by Act No 229 of the Public Acts of 1983, being section 552 14 of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 14 of chapter 84 of the Revised Statutes  
2 of 1846, as amended by Act No 229 of the Public Acts of 1983,  
3 being section 552 14 of the Michigan Compiled Laws, is amended to  
4 read as follows

5 Sec 14 (1) ~~After~~ ON THE MOTION OF A PARTY AT ANY TIME  
6 AFTER the filing of a complaint in an action to annul a marriage  
7 or for a divorce or separate maintenance, the court may ~~—, at any~~  
8 ~~time on the motion of a party,~~ prohibit ~~the other~~ A party from

1 imposing any restraint on the ~~former's~~ MOVING PARTY'S personal  
2 liberty during the pendency of the action

3 (2) A preliminary injunctive order issued under subsection  
4 (1) shall state on its face the period of time for which the  
5 order is valid and shall specifically restrain or enjoin the  
6 other party from doing 1 or more of the following

7 (a) Entering onto premises

8 (b) Assaulting, beating, molesting, or wounding a named  
9 person

10 (c) Removing A minor ~~children~~ CHILD from a spouse having  
11 legal custody of the ~~children~~ CHILD, in violation of A custody  
12 ~~and~~ OR visitation ~~orders as~~ ORDER issued by the court

13 (D) PURCHASING OR POSSESSING A FIREARM

14 (3) On the motion of a party, before ~~entry~~ OR AT THE TIME  
15 of a judgment of divorce, ~~or~~ ORDER FOR separate maintenance, or  
16 decree of annulment, regardless of whether a preliminary injunc-  
17 tive order has been issued under subsection (1), the court may  
18 enter ~~, at the same time as a judgment of divorce or separate~~  
19 ~~maintenance or decree of annulment is granted,~~ an injunctive  
20 order ~~which~~ THAT states on its face the period of time for  
21 which the order is valid and ~~which~~ THAT specifically restrains  
22 or enjoins the other party from doing 1 or more of the  
23 following

24 (a) Entering onto premises

25 (b) Assaulting, beating, molesting, or wounding a named  
26 person

1 (c) Removing A minor ~~children~~ CHILD from the person having  
2 legal custody of the ~~children~~ CHILD, in violation of A custody  
3 ~~and~~ OR visitation ~~orders as~~ ORDER issued by the court

4 (D) PURCHASING OR POSSESSING A FIREARM

5 (4) The clerk of the court ~~which~~ THAT issues an order  
6 under subsection (1) or (3) shall file a true copy of the order  
7 with the law enforcement agency having jurisdiction of the area  
8 in which the moving party resides

9 (5) A person who refuses or fails to comply with an order  
10 issued pursuant to subsection (1) or (3) is subject to the con-  
11 tempt powers of the court and, if found guilty, shall be impris-  
12 oned for not more than 90 days and may be fined not more than  
13 \$500 00

14 (6) An order issued pursuant to subsection (1) or (3)  
15 ~~which~~ THAT complies with the requirements of section 15b of  
16 chapter IV of the code of criminal procedure, Act No 175 of the  
17 Public Acts of 1927, being section 764 15b of the Michigan  
18 Compiled Laws, ~~shall~~ IS also ~~be~~ enforceable under that  
19 section

20 (7) UPON ENTRY OF AN ORDER ISSUED UNDER SUBSECTION (1)(D) OR  
21 (3)(D), THE COURT SHALL IMMEDIATELY ORDER THE DEPARTMENT OF STATE  
22 POLICE TO ENTER THE ORDER INTO THE LAW ENFORCEMENT INFORMATION  
23 NETWORK

24 (8) UPON ENTRY OF AN ORDER RESCINDING AN ORDER ISSUED UNDER  
25 SUBSECTION (1)(D) OR (3)(D) AND ENTERED INTO THE LAW ENFORCEMENT  
26 NETWORK UNDER SUBSECTION (7), THE COURT SHALL IMMEDIATELY ORDER  
27 THE DEPARTMENT OF STATE POLICE TO REMOVE FROM THE LAW ENFORCEMENT

1 INFORMATION NETWORK THE ORDER ISSUED UNDER SUBSECTION (1)(D) OR  
2 (3)(D) AND ENTERED INTO THE LAW ENFORCEMENT INFORMATION NETWORK  
3 UNDER SUBSECTION (7)

4 (9) THE DEPARTMENT OF STATE POLICE SHALL IMMEDIATELY ENTER  
5 AN ORDER INTO THE LAW ENFORCEMENT INFORMATION NETWORK OR SHALL  
6 IMMEDIATELY REMOVE AN ORDER FROM THE LAW ENFORCEMENT INFORMATION  
7 NETWORK AS ORDERED BY THE COURT UNDER THIS SECTION

8 (10) BEFORE THE EXPIRATION OF 1 YEAR AFTER THE EFFECTIVE  
9 DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE CIR-  
10 CUIT COURT FOR EACH COUNTY SHALL EXAMINE THE CIRCUIT COURT  
11 RECORDS FOR THE 1-YEAR PERIOD OF TIME BEFORE THE EFFECTIVE DATE  
12 OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION AND ENTER AN  
13 ORDER UNDER SUBSECTION (7) FOR EACH PERSON FOR WHOM THE COURT  
14 WOULD HAVE ENTERED AN ORDER UNDER SUBSECTION (7) IF THIS SECTION  
15 HAD BEEN IN EFFECT DURING THAT PERIOD OF TIME THIS SUBSECTION  
16 ONLY APPLIES IF THE PERSON IS STILL SUBJECT TO THE RESTRAINING OR  
17 INJUNCTIVE ORDER FOR WHICH AN ORDER WOULD HAVE BEEN ENTERED UNDER  
18 SUBSECTION (7)

19 Section 2 This amendatory act shall not take effect unless  
20 Senate Bill No 971

21 of the 87th Legislature is enacted into law