

Act No. 138
Public Acts of 1996
Approved by the Governor
March 21, 1996
Filed with the Secretary of State
March 21, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Rep. Ciaramitaro

ENROLLED HOUSE BILL No. 4483

AN ACT to amend section 15a of chapter IV of Act No. 175 of the Public Acts of 1927, entitled as amended "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," as amended by Act No. 66 of the Public Acts of 1994, being section 764.15a of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 15a of chapter IV of Act No. 175 of the Public Acts of 1927, as amended by Act No. 66 of the Public Acts of 1994, being section 764.15a of the Michigan Compiled Laws, is amended to read as follows:

CHAPTER IV

Sec. 15a. A peace officer may arrest an individual for violating section 81 or 81a of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being sections 750.81 and 750.81a of the Michigan Compiled Laws, or a local ordinance substantially corresponding to section 81 of Act No. 328 of the Public Acts of 1931 regardless of whether the peace officer has a warrant or whether the violation was committed in his or her presence, if the peace officer has reasonable cause to believe both of the following:

- (a) The violation occurred or is occurring.
- (b) The individual has had a child in common with the victim, resides or has resided in the same household as the victim, or is a spouse or former spouse of the victim.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.