

Act No. 230
Public Acts of 1996
Approved by the Governor
June 4, 1996
Filed with the Secretary of State
June 5, 1996

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

Introduced by Reps. Geiger, Cropsey, McNutt, Walberg, DeMars, Bush, Ryan, Perricone, LeTarte, Green, Owen, Tesanovich, Agee and Prusi
Reps. Galloway, Gernaat, Gnodtke, Goschka, Horton, Jellema, Jersevic, Johnson, Kaza, Kukuk, Law, McBryde, McManus, Nye, Rocca, Scott, Sikkema, Voorhees and Weeks named co-sponsors

ENROLLED HOUSE BILL No. 5607

AN ACT to amend 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, being sections 764.1 to 764.29 of the Michigan Compiled Laws, by adding section 23a.

The People of the State of Michigan enact:

Section 1. Chapter IV of Act No. 175 of the Public Acts of 1927, as amended, being sections 764.1 to 764.29 of the Michigan Compiled Laws, is amended by adding section 23a to read as follows:

CHAPTER IV

Sec. 23a. (1) A person who trespasses upon a state correctional facility in violation of section 552b of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being section 750.552b of the Michigan Compiled Laws, may be arrested without a warrant by any employee of the department of corrections whom the director of the department of corrections designates as having authority to arrest those persons.

(2) As used in this section, "state correctional facility" means a facility or institution that houses a prisoner population under the jurisdiction of the department of corrections. State correctional facility does not include a community corrections center or a community residential home.

Section 2. This amendatory act shall take effect January 1, 1997.

Section 3. This amendatory act shall not take effect unless all of the following bills of the 88th Legislature are enacted into law:

- (a) House Bill No. 5608.
- (b) House Bill No. 5609.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.

