

**SENATE BILL NO. 1317**

September 23, 1998, Introduced by Senators ROGERS, SCHUETTE, STILLE, STEIL and BULLARD and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 6b of chapter V (MCL 765.6b), as amended by 1994 PA 335.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1** CHAPTER V

**2** Sec. 6b. (1) A judge or district court magistrate may  
**3** release under this section a defendant subject to conditions rea-  
**4** sonably necessary for the protection of 1 or more named persons.  
**5** If a judge or district court magistrate releases under this sec-  
**6** tion a defendant subject to protective conditions, the judge or  
**7** district court magistrate shall make a finding of the need for  
**8** protective conditions and inform the defendant on the record,  
**9** either orally or by a writing that is personally delivered to the  
**10** defendant, of the specific conditions imposed and that if the

1 defendant violates a condition of release, he or she will be  
2 subject to arrest without a warrant and may have his or her bail  
3 forfeited or revoked and new conditions of release imposed, in  
4 addition to any other penalties that may be imposed if the  
5 defendant is found in contempt of court.

6 (2) An order or amended order issued under subsection (1)  
7 shall contain all of the following:

8 (a) A statement of the defendant's full name.

9 (b) A statement of the defendant's height, weight, race,  
10 sex, date of birth, hair color, eye color, and any other identi-  
11 fying information the judge or district court magistrate consid-  
12 ers appropriate.

13 (c) A statement of the date the conditions become  
14 effective.

15 (d) A statement of the date on which the order will expire.

16 (e) A statement of the conditions imposed.

17 (3) An order or amended order issued under ~~this subsection~~  
18 ~~and~~ subsection (1) may impose a condition that the defendant not  
19 purchase or possess a firearm.

20 (4) AN ORDER OR AMENDED ORDER ISSUED UNDER SUBSECTION (1)  
21 MAY IMPOSE A CONDITION THAT RESTRICTS THE TRAVEL OF THE DEFENDANT  
22 TO SPECIFIED GEOGRAPHICAL AREAS OR THAT PROHIBITS THE DEFENDANT  
23 FROM ENTERING SPECIFIED GEOGRAPHICAL AREAS.

24 (5) ~~(4)~~ The judge or district court magistrate shall imme-  
25 diately direct a law enforcement agency within the jurisdiction  
26 of the court, in writing, to enter an order or amended order  
27 issued under ~~subsection (1) or subsections (1) and (3)~~ THIS

1 SECTION into the law enforcement information network as provided  
2 by the L.E.I.N. policy council act of 1974, ~~Act No. 163 of the~~  
3 ~~Public Acts of 1974, being sections 28.211 to 28.216 of the~~  
4 ~~Michigan Compiled Laws~~ 1974 PA 163, MCL 28.211 TO 28.216. If  
5 the order or amended order is rescinded, the judge or district  
6 court magistrate shall immediately order the law enforcement  
7 agency to remove the order or amended order from the law enforce-  
8 ment information network.

9 (6) ~~(5)~~ A law enforcement agency within the jurisdiction  
10 of the court shall immediately enter an order or amended order  
11 into the law enforcement information network as provided by ~~Act~~  
12 ~~No. 163 of the Public Acts of 1974~~ THE L.E.I.N. POLICY COUNCIL  
13 ACT OF 1974, 1974 PA 163, MCL 28.211 TO 28.216, or shall remove  
14 the order or amended order from the law enforcement information  
15 network upon expiration of the order or as directed by the court  
16 under subsection ~~(4)~~ (5).

17 (7) ~~(6)~~ This section does not limit the authority of  
18 judges or district court magistrates to impose protective or  
19 other release conditions under other applicable statutes or court  
20 rules.