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Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 1282 (Substitute S-1 as reported)  
Sponsor: Senator Shirley Johnson  
Committee: Judiciary

### **CONTENT**

The bill would amend Public Act 44 of 1961, which provides for the release of misdemeanor prisoners on interim bond, to establish restrictions on an interim bond set by a judge or district court magistrate for a person arrested for domestic assault. The bill would take effect on July 1, 2000.

Under Public Act 44, a person arrested with or without a warrant for simple or aggravated assault in a domestic situation must be held until he or she can be brought before a magistrate for arraignment. If a magistrate is not available or immediate trial cannot be held within 24 hours, the person must be held for 20 hours, after which he or she may be released on an interim bond payable to a law enforcement officer or on his or her own recognizance.

Under the bill, a person arrested for domestic assault would have to be held until he or she could be arraigned or have interim bond set by a judge or district court magistrate. The person could be released only subject to the condition that he or she not have or attempt to have contact of any kind with the victim. The judge or magistrate would have to inform the person of the specific conditions imposed and that if the person violated a condition of release he or she would be subject to arrest and could have his or her bond forfeited or revoked.

The judge or magistrate immediately would have to direct that a law enforcement agency enter the order into the Law Enforcement Information Network (LEIN). If the order were rescinded, the judge or magistrate immediately would have to order the law enforcement agency to remove the order from the LEIN. A law enforcement agency within the court's jurisdiction immediately would have to enter an order into the LEIN if ordered to do so, or remove the order from the LEIN upon expiration of the order or as directed by the court.

MCL 780.581 & 780.582a

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bill would have an indeterminate impact on local units of government. The potential impact on jail time cannot be estimated.

Date Completed: 5-25-00

Fiscal Analyst: B. Bowerman