

**SUBSTITUTE FOR
SENATE BILL NO. 1222**

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 15 of chapter IV (MCL 764.15), as amended by
1999 PA 269.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER IV

2 Sec. 15. (1) A peace officer, without a warrant, may arrest
3 a person in any of the following situations:

4 (a) A felony, misdemeanor, or ordinance violation is commit-
5 ted in the peace officer's presence.

6 (b) The person has committed a felony although not in the
7 peace officer's presence.

8 (c) A felony in fact has been committed and the peace
9 officer has reasonable cause to believe the person committed it.

1 (d) The peace officer has reasonable cause to believe a
2 felony has been committed and reasonable cause to believe the
3 person committed it.

4 (e) The peace officer has received positive information by
5 written, telegraphic, teletypic, telephonic, radio, electronic,
6 or other authoritative source that another peace officer or a
7 court holds a warrant for the person's arrest.

8 (f) The peace officer has received positive information
9 broadcast from a recognized police or other governmental radio
10 station, or teletype, that affords the peace officer reasonable
11 cause to believe a felony has been committed and reasonable cause
12 to believe the person committed it.

13 (g) The peace officer has reasonable cause to believe the
14 person is an escaped convict, has violated a condition of parole
15 from a prison, has violated a condition of probation imposed by a
16 court, or has violated a condition of a pardon granted by the
17 executive.

18 (h) The peace officer has reasonable cause to believe the
19 person was, at the time of an accident in this state, the opera-
20 tor of a vehicle involved in the accident and was operating the
21 vehicle in violation of section 625(1), (3), (6), or (7) or sec-
22 tion 625m of the Michigan vehicle code, 1949 PA 300, MCL 257.625
23 and 257.625m, or a local ordinance substantially corresponding to
24 section 625(1), (3), (6), or (7) or section 625m of that act.

25 (i) The person is found in the driver's seat of a vehicle
26 parked or stopped on a highway or street within this state if any
27 part of the vehicle intrudes into the roadway and the peace

1 officer has reasonable cause to believe the person was operating
2 the vehicle in violation of section 625(1), (3), (6), or (7) or
3 section 625m of the Michigan vehicle code, 1949 PA 300, MCL
4 257.625 and 257.625m, or a local ordinance substantially corre-
5 sponding to section 625(1), (3), (6), or (7) or section 625m of
6 that act.

7 (j) The peace officer has reasonable cause to believe the
8 person was, at the time of an accident, the operator of a snowmo-
9 bile involved in the accident and was operating the snowmobile in
10 violation of section 82127(1) or (3) of the natural resources and
11 environmental protection act, 1994 PA 451, MCL 324.82127, or a
12 local ordinance substantially corresponding to section 82127(1)
13 or (3) of that act.

14 (k) The peace officer has reasonable cause to believe the
15 person was, at the time of an accident, the operator of an ORV
16 involved in the accident and was operating the ORV in violation
17 of section 81134(1) or (2) or 81135 of the natural resources and
18 environmental protection act, 1994 PA 451, MCL 324.81134 and
19 324.81135, or a local ordinance substantially corresponding to
20 section 81134(1) or (2) or 81135 of that act.

21 (l) The peace officer has reasonable cause to believe the
22 person was, at the time of an accident, the operator of a vessel
23 involved in the accident and was operating the vessel in viola-
24 tion of section 80176(1) or (3) of the natural resources and
25 environmental protection act, 1994 PA 451, MCL 324.80176, or a
26 local ordinance substantially corresponding to section 80176(1)
27 or (3) of that act.

1 (m) The peace officer has reasonable cause to believe a
2 violation of section 356c or 356d of the Michigan penal code,
3 1931 PA 328, MCL 750.356c and 750.356d, has taken place or is
4 taking place and reasonable cause to believe the person committed
5 or is committing the violation, regardless of whether the viola-
6 tion was committed in the peace officer's presence.

7 (N) THE PEACE OFFICER HAS REASONABLE CAUSE TO BELIEVE A MIS-
8 DEMEANOR HAS TAKEN PLACE OR IS TAKING PLACE ON SCHOOL PROPERTY
9 AND REASONABLE CAUSE TO BELIEVE THE PERSON COMMITTED OR IS COM-
10 MITTING THE VIOLATION, REGARDLESS OF WHETHER THE VIOLATION WAS
11 COMMITTED IN THE PEACE OFFICER'S PRESENCE. AS USED IN THIS SUB-
12 DIVISION, "SCHOOL PROPERTY" MEANS THAT TERM AS DEFINED IN SECTION
13 7410 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7410.

14 (2) An officer in the United States customs service or the
15 immigration and naturalization service, without a warrant, may
16 arrest a person if all of the following circumstances exist:

17 (a) The officer is on duty.

18 (b) One or more of the following situations exist:

19 (i) The person commits an assault or an assault and battery
20 punishable under section 81 or 81a of the Michigan penal code,
21 1931 PA 328, MCL 750.81 and 750.81a, on the officer.

22 (ii) The person commits an assault or an assault and battery
23 punishable under section 81 or 81a of the Michigan penal code,
24 1931 PA 328, MCL 750.81 and 750.81a, on any other person in the
25 officer's presence or commits any felony.

26 (iii) The officer has reasonable cause to believe a felony
27 has been committed and reasonable cause to believe the person

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1 committed it, and the reasonable cause is not founded on a
2 customs search.

3 (iv) The officer has received positive information by writ-
4 ten, telegraphic, teletypic, telephonic, radio, electronic, or
5 other authoritative source that a peace officer or a court holds
6 a warrant for the person's arrest.

7 (c) The officer has received training in the laws of this
8 state equivalent to the training provided for an officer of a
9 local police agency under the commission on law enforcement stan-
10 dards act, 1965 PA 203, MCL 28.601 to 28.616.

11 Enacting section 1. This amendatory act takes effect 90
12 days after the date it is enacted.