



House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## BAIL OR BOND MONEY: ASSESS ADMINISTRATIVE FEE

**House Bill 5047**

**Sponsor: Rep. Glenn S. Anderson**

**Committee: Civil Law and the Judiciary**

**Complete to 9-26-01**

### A SUMMARY OF HOUSE BILL 5047 AS INTRODUCED 9-20-01

Under provisions contained in Chapter V of the Code of Criminal Procedure, unless otherwise provided by law, a person accused of a criminal offense is entitled to bail. Cash, certified check, or certain securities may be deposited in lieu of bond or bail. The cash, check, or securities are then required to be deposited with the clerk of the court (if under bond) or with the treasurer of the county, city, village, or township within which the bail or bond is to be furnished, or with the state treasurer. If the bond or bail is collected after the office hours of the treasurer or clerk, it is collected by an officer who is authorized to do so, or by the county sheriff in charge of the county jail or sheriff's office. These funds must be transferred to the proper treasurer or clerk within 48 hours.

House Bill 5047 would amend the code to allow for an administrative fee of \$5 to be assessed in addition to the bail or bond amount set by the court. Specifically, the bill states that a law enforcement agency that obtains bail or bond money from or on behalf of a person arrested pursuant to a warrant issued by a court could collect \$5 in addition to the bail or bond money. The \$5 fee could be collected either from the person arrested or from another person on behalf of the person arrested. The fee revenue would have to be deposited promptly by the law enforcement agency into an account created for that purpose in the treasury of the law enforcement agency's governing body and used to defray the expense of receiving, depositing, and delivering bail or bond money.

MCL 765.12a

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.