

HOUSE BILL No. 5831

February 28, 2008, Introduced by Reps. Rick Jones, Johnson, Alma Smith, Warren, Constan, Cushingberry, Clack, Hammel, Miller, Robert Jones, Leland, Young, Tobocman, Virgil Smith, Farrah, Bennett, Gonzales, Sheltroun, Jackson, Accavitti, Sak, Gillard, Scott, Bieda, Garfield, Gaffney, Nofs, Wenke and Cheeks and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 2 of chapter XI (MCL 771.2), as amended by 2002
PA 666.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XI

Sec. 2. (1) Except as provided in section 2a of this chapter,
if the defendant is convicted for an offense that is not a felony,
the probation period shall not exceed 2 years. Except as provided
in section 2a of this chapter, if the defendant is convicted of a
felony, the probation period shall not exceed 5 years.

(2) The court shall by order, to be filed or entered in the
cause as the court may direct by general rule or in each case, fix
and determine the period and conditions of probation. The order is

1 part of the record in the cause. The court may amend the order in
2 form or substance at any time.

3 (3) A defendant who was placed on probation under section 1(4)
4 of this chapter ~~prior to the effective date of the act that amended~~
5 ~~this section~~ **AS IT EXISTED BEFORE MARCH 1, 2003 FOR AN OFFENSE**
6 **COMMITTED BEFORE MARCH 1, 2003** is subject to the conditions of
7 probation specified in section 3 of this chapter, including payment
8 of a probation supervision fee as prescribed in section 3c of this
9 chapter, and to revocation for violation of these conditions, but
10 the probation period shall not be reduced other than by a
11 revocation that results in imprisonment or as otherwise provided by
12 law.

13 (4) If an individual is placed on probation for a listed
14 offense enumerated in section 2 of the sex offenders registration
15 act, 1994 PA 295, MCL 28.722, the individual's probation officer
16 shall register the individual or accept the individual's
17 registration as provided in that act.

18 (5) Subsection (1) does not apply to a juvenile placed on
19 probation and committed under section 1(3) or (4) of chapter IX to
20 an institution or agency described in the youth rehabilitation
21 services act, 1974 PA 150, MCL 803.301 to 803.309.

22 Enacting section 1. This amendatory act does not take effect
23 unless all of the following bills of the 94th Legislature are
24 enacted into law:

25 (a) Senate Bill No. ____ or House Bill No. 5829(request no.
26 01480'07 *).

27 (b) Senate Bill No. ____ or House Bill No. 5830(request no.

1 01480'07 a *) .