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BILL ANALYSIS

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Senate Bill 1382 (as introduced 6-9-10)
Sponsor: Senator Hansen Clarke
Committee: Judiciary

Date Completed: 11-2-10

CONTENT

The bill would amend the Code of Criminal Procedure to prohibit the continuation of a surety bond in a felony case, after conviction and pending sentencing or other posttrial proceedings, without the consent of the surety or its agent.

Specifically, if a defendant were charged with a felony and released on a surety bond pending trial in any case that was pending on or after the bill's effective date, and the defendant were found guilty either by plea or after trial, the surety bond could not be continued pending the imposition of sentence or posttrial proceeding unless the surety or its agent consented to the continuation either on the record or in writing.

MCL 765.26

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would result in indeterminate costs to local units of government to the extent that surety bonds were not continued and individuals were incarcerated.

Fiscal Analyst: Bill Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.