

HOUSE BILL No. 4222

February 10, 2009, Introduced by Reps. Ebli, Meadows, Roberts, Liss, Valentine, Durhal,
Lisa Brown, Donigan and Angerer and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 2950a (MCL 600.2950a), as amended by 2001 PA
201.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2950a. (1) Except as provided in subsections ~~(25) and~~
2 ~~(26)~~ **(28) AND (31)**, by commencing an independent action to obtain
3 relief under this section, by joining a claim to an action, or by
4 filing a motion in an action in which the petitioner and the
5 individual to be restrained or enjoined are parties, an individual
6 may petition the ~~family division of circuit court~~ to enter a
7 personal protection order to restrain or enjoin an individual from

engaging in conduct that is prohibited under section 411h, ~~or 411i,~~
OR 411S of the Michigan penal code, 1931 PA 328, MCL 750.411h, and
750.411i, AND 750.411S. Relief UNDER THIS SUBSECTION shall not be
granted unless the petition alleges facts that constitute stalking
as defined in section 411h or 411i, OR POSTING A MESSAGE AS DEFINED
IN SECTION 411S, of the Michigan penal code, 1931 PA 328, MCL
750.411h, and 750.411i, AND 750.411S. Relief may be sought and
granted under this ~~section~~ SUBSECTION whether or not the individual
to be restrained or enjoined has been charged or convicted under
section 411h, ~~or 411i,~~ OR 411S of the Michigan penal code, 1931 PA
328, MCL 750.411h, and 750.411i, AND 750.411S, for the alleged
violation.

(2) EXCEPT AS PROVIDED IN SUBSECTIONS (28) AND (31), BY
COMMENCING AN INDEPENDENT ACTION TO OBTAIN RELIEF UNDER THIS
SECTION, BY JOINING A CLAIM TO AN ACTION, OR BY FILING A MOTION IN
AN ACTION IN WHICH THE PETITIONER AND THE INDIVIDUAL TO BE
RESTRAINED OR ENJOINED ARE PARTIES, AN INDIVIDUAL MAY PETITION THE
CIRCUIT COURT TO ENTER A PERSONAL PROTECTION ORDER TO RESTRAIN OR
ENJOIN AN INDIVIDUAL FROM ENGAGING IN ANY OF THE FOLLOWING:

(A) ONE OR MORE OF THE ACTS LISTED IN SUBSECTION (3), IF THE
PETITIONER IS THE VICTIM OF A SEXUAL ASSAULT FOR WHICH THE
RESPONDENT HAS BEEN CONVICTED. RELIEF UNDER THIS SUBDIVISION SHALL
BE GRANTED IF THE COURT DETERMINES THAT THE RESPONDENT HAS BEEN
CONVICTED OF A SEXUAL ASSAULT AND THAT THE PETITIONER WAS THE
VICTIM OF THAT SEXUAL ASSAULT.

(B) ONE OR MORE OF THE ACTS LISTED IN SUBSECTION (3), IF THE
PETITIONER HAS BEEN SUBJECTED TO, THREATENED WITH, OR PLACED IN

1 REASONABLE APPREHENSION OF SEXUAL ASSAULT BY THE INDIVIDUAL TO BE
2 ENJOINED. RELIEF UNDER THIS SUBDIVISION SHALL NOT BE GRANTED UNLESS
3 THE PETITION ALLEGES FACTS THAT DEMONSTRATE THAT THE RESPONDENT HAS
4 PERPETRATED OR THREATENED SEXUAL ASSAULT AGAINST THE PETITIONER OR
5 HAS ENGAGED IN CONDUCT THAT HAS CREATED IN THE PETITIONER THE
6 REASONABLE APPREHENSION OF SEXUAL ASSAULT. RELIEF MAY BE SOUGHT AND
7 GRANTED UNDER THIS SUBDIVISION REGARDLESS OF WHETHER THE INDIVIDUAL
8 TO BE RESTRAINED OR ENJOINED HAS BEEN CHARGED WITH OR CONVICTED OF
9 SEXUAL ASSAULT.

10 (3) THE COURT MAY RESTRAIN OR ENJOIN AN INDIVIDUAL AGAINST
11 WHOM A PROTECTION ORDER IS SOUGHT UNDER SUBSECTION (2) FROM 1 OR
12 MORE OF THE FOLLOWING:

13 (A) ENTERING ONTO PREMISES.

14 (B) THREATENING TO SEXUALLY ASSAULT, KILL, OR PHYSICALLY
15 INJURE PETITIONER OR A NAMED INDIVIDUAL.

16 (C) PURCHASING OR POSSESSING A FIREARM.

17 (D) INTERFERING WITH THE PETITIONER'S EFFORTS TO REMOVE THE
18 PETITIONER'S CHILDREN OR PERSONAL PROPERTY FROM PREMISES THAT ARE
19 SOLELY OWNED OR LEASED BY THE INDIVIDUAL TO BE RESTRAINED OR
20 ENJOINED.

21 (E) INTERFERING WITH THE PETITIONER AT THE PETITIONER'S PLACE
22 OF EMPLOYMENT OR EDUCATION OR ENGAGING IN CONDUCT THAT IMPAIRS THE
23 PETITIONER'S EMPLOYMENT OR EDUCATIONAL RELATIONSHIP OR ENVIRONMENT.

24 (F) FOLLOWING OR APPEARING WITHIN THE SIGHT OF THE PETITIONER.

25 (G) APPROACHING OR CONFRONTING THE PETITIONER IN A PUBLIC
26 PLACE OR ON PRIVATE PROPERTY.

27 (H) APPEARING AT THE PETITIONER'S WORKPLACE OR RESIDENCE.

1 (I) ENTERING ONTO OR REMAINING ON PROPERTY OWNED, LEASED, OR
2 OCCUPIED BY THE PETITIONER.

3 (J) CONTACTING THE PETITIONER BY TELEPHONE.

4 (K) SENDING MAIL OR ELECTRONIC COMMUNICATIONS TO THE
5 PETITIONER.

6 (L) PLACING AN OBJECT ON, OR DELIVERING AN OBJECT TO, PROPERTY
7 OWNED, LEASED, OR OCCUPIED BY THE PETITIONER.

8 (M) ENGAGING IN CONDUCT THAT IS PROHIBITED UNDER SECTION 411S
9 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.411S.

10 (N) ANY OTHER SPECIFIC ACT OR CONDUCT THAT IMPOSES UPON OR
11 INTERFERES WITH PERSONAL LIBERTY OR THAT CAUSES A REASONABLE
12 APPREHENSION OF VIOLENCE OR SEXUAL ASSAULT.

13 (4) SECTION 520J OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
14 750.520J, APPLIES IN ANY HEARING ON A PETITION FOR, A MOTION TO
15 MODIFY OR TERMINATE, OR AN ALLEGED VIOLATION OF A PERSONAL
16 PROTECTION ORDER REQUESTED OR ISSUED UNDER SUBSECTION (2), EXCEPT
17 AS FOLLOWS:

18 (A) THE WRITTEN MOTION AND OFFER OF PROOF SHALL BE FILED AT
19 LEAST 24 HOURS BEFORE A HEARING ON A PETITION TO ISSUE A PERSONAL
20 PROTECTION ORDER OR ON AN ALLEGED VIOLATION OF A PERSONAL
21 PROTECTION ORDER.

22 (B) THE WRITTEN MOTION AND OFFER OF PROOF SHALL BE FILED AT
23 THE SAME TIME THAT A MOTION TO MODIFY OR TERMINATE A PERSONAL
24 PROTECTION ORDER IS FILED.

25 (5) ~~(2)~~—If the respondent TO A PETITION UNDER THIS SECTION is
26 a person who is issued a license to carry a concealed weapon and is
27 required to carry a weapon as a condition of his or her employment,

1 a police officer certified by the commission on law enforcement
2 standards act, 1965 PA 203, MCL 28.601 to 28.616, a sheriff, a
3 deputy sheriff or a member of the Michigan department of state
4 police, a local corrections officer, a department of corrections
5 employee, or a federal law enforcement officer who carries a
6 firearm during the normal course of his or her employment, the
7 petitioner shall notify the court of the respondent's occupation
8 ~~prior to the issuance of~~ **BEFORE** the personal protection order **IS**
9 **ISSUED**. This subsection does not apply to a petitioner who does not
10 know the respondent's occupation.

11 (6) ~~(3)~~ A petitioner may omit his or her address of residence
12 from documents filed with the court under this section. If a
13 petitioner omits his or her address of residence, the petitioner
14 shall provide the court a mailing address.

15 (7) ~~(4)~~ If a court **ISSUES OR** refuses to ~~grant~~ **ISSUE** a personal
16 protection order, the court shall immediately state in writing the
17 specific reasons for issuing or refusing to issue a ~~THE~~ personal
18 protection order. If a hearing is held, the court shall also
19 immediately state on the record the specific reasons for issuing or
20 refusing to issue a personal protection order.

21 (8) ~~(5)~~ A personal protection order shall not be made mutual.
22 Correlative separate personal protection orders are prohibited
23 unless both parties have properly petitioned the court ~~according to~~
24 **UNDER** subsection (1) **OR** (2).

25 (9) ~~(6)~~ A personal protection order is effective and
26 immediately enforceable anywhere in this state when signed by a
27 judge. Upon service, a personal protection order also may be

1 enforced by another state, an Indian tribe, or a territory of the
2 United States.

3 (10) ~~(7)~~—The court shall designate the law enforcement agency
4 that is responsible for entering the personal protection order into
5 the L.E.I.N.

6 (11) ~~(8)~~—A personal protection order issued under this section
7 shall include all of the following, ~~and~~ to the extent practicable
8 ~~contained~~ in a single form:

9 (a) A statement that the personal protection order has been
10 entered to enjoin or restrain conduct listed in the order and that
11 violation of the personal protection order will subject the
12 individual restrained or enjoined to 1 or more of the following:

13 (i) If the respondent is 17 years of age or ~~more~~ **OLDER**,
14 immediate arrest and the civil and criminal contempt powers of the
15 court, and ~~that~~ if he or she is found guilty of criminal contempt,
16 ~~he or she shall be imprisoned~~ **IMPRISONMENT** for not more than 93
17 days and ~~may be fined~~ **A FINE OF** not more than \$500.00.

18 (ii) If the respondent is less than 17 years of age, ~~to~~
19 immediate apprehension or being taken into custody, ~~and subject to~~
20 the dispositional alternatives listed in section 18 of chapter XIIIA
21 of the probate code of 1939, 1939 PA 288, MCL 712A.18.

22 (iii) If the respondent violates the personal protection order
23 in a jurisdiction other than this state, ~~the respondent is subject~~
24 ~~to~~ the enforcement procedures and penalties of the state, Indian
25 tribe, or United States territory under whose jurisdiction the
26 violation occurred.

27 (b) A statement that the personal protection order is

1 effective and immediately enforceable anywhere in this state when
2 signed by a judge, and that upon service, a personal protection
3 order also may be enforced by another state, an Indian tribe, or a
4 territory of the United States.

5 (c) A statement listing each type of conduct enjoined.

6 (d) An expiration date stated clearly on the face of the
7 order.

8 (e) A statement that the personal protection order is
9 enforceable anywhere in Michigan by any law enforcement agency.

10 (f) The law enforcement agency designated by the court to
11 enter the personal protection order into the L.E.I.N.

12 (g) For an ex parte order, a statement that the individual
13 restrained or enjoined may file a motion to modify or rescind the
14 personal protection order and request a hearing within 14 days
15 after the individual restrained or enjoined ~~has been served or has~~
16 ~~received~~ **IS SERVED OR RECEIVES** actual notice of the personal
17 protection order and that motion forms and filing instructions are
18 available from the clerk of the court.

19 **(12)** ~~(9)~~ An ex parte personal protection order shall not be
20 issued and effective without written or oral notice to the
21 individual enjoined or his or her attorney unless it clearly
22 appears from specific facts shown by verified complaint, written
23 motion, or affidavit that immediate and irreparable injury, loss,
24 or damage will result from the delay required to effectuate notice
25 or that the notice will precipitate adverse action before a
26 personal protection order can be issued.

27 **(13)** ~~(10)~~ A personal protection order issued under subsection

1 ~~(9)~~ **(12)** is valid for not less than 182 days. The individual
2 restrained or enjoined may file a motion to modify or rescind the
3 personal protection order and request a hearing under the Michigan
4 court rules. The motion to modify or rescind the personal
5 protection order shall be filed within 14 days after the order is
6 served or after the individual restrained or enjoined ~~has received~~
7 **RECEIVES** actual notice of the personal protection order unless good
8 cause is shown for filing the motion after 14 days have elapsed.

9 **(14)** ~~(11)~~ Except as otherwise provided in this subsection, the
10 court shall schedule a hearing on the motion to modify or rescind
11 the ex parte personal protection order within 14 days after ~~the~~
12 ~~filing of the~~ motion to modify or rescind **IS FILED**. If the
13 respondent is a person described in subsection ~~(2)~~ **(5)** and the
14 personal protection order prohibits him or her from purchasing or
15 possessing a firearm, the court shall schedule a hearing on the
16 motion to modify or rescind the ex parte personal protection order
17 within 5 days after the ~~filing of the~~ motion to modify or rescind
18 **IS FILED**.

19 **(15)** ~~(12)~~ The clerk of the court that issues a personal
20 protection order shall do all of the following immediately upon
21 issuance without requiring proof of service on the individual
22 restrained or enjoined:

23 (a) File a true copy of the personal protection order with the
24 law enforcement agency designated by the court in the personal
25 protection order.

26 (b) Provide **THE** petitioner with ~~not less than 2~~ **OR MORE** true
27 copies of the personal protection order.

1 (c) If ~~respondent~~**THE INDIVIDUAL RESTRAINED OR ENJOINED** is
 2 identified in the pleadings as a law enforcement officer, notify
 3 the officer's employing law enforcement agency ~~about~~**OF** the
 4 existence of the personal protection order.

5 (d) If the personal protection order prohibits the ~~respondent~~
 6 **INDIVIDUAL RESTRAINED OR ENJOINED** from purchasing or possessing a
 7 firearm, notify the concealed weapon licensing board in
 8 ~~respondent's~~**THE INDIVIDUAL'S** county of residence ~~about~~**OF** the
 9 existence and content of the personal protection order.

10 (e) If the ~~respondent~~**INDIVIDUAL RESTRAINED OR ENJOINED** is
 11 identified in the pleadings as a department of corrections
 12 employee, notify the ~~state~~ department of corrections ~~about~~**OF** the
 13 existence of the personal protection order.

14 (f) If the ~~respondent~~**INDIVIDUAL RESTRAINED OR ENJOINED** is
 15 identified in the pleadings as ~~being~~ a person who may have access
 16 to information concerning the petitioner or a child of the
 17 petitioner or ~~respondent~~**INDIVIDUAL** and that information is
 18 contained in friend of the court records, notify the friend of the
 19 court for the county in which the information is located ~~about~~**OF**
 20 the existence of the personal protection order.

21 (16) ~~(13)~~The clerk of ~~the~~**A** court **THAT ISSUES A PERSONAL**
 22 **PROTECTION ORDER** shall inform the petitioner that he or she may
 23 take a true copy of the personal protection order to the law
 24 enforcement agency designated by the court ~~in~~**UNDER** subsection ~~(7)~~
 25 **(10)** to be immediately entered into the L.E.I.N.

26 (17) ~~(14)~~The law enforcement agency that receives a true copy
 27 of ~~the~~**A** personal protection order under subsection ~~(12)~~ ~~or~~ ~~(13)~~

1 (15) OR (16) shall immediately, without requiring proof of service,
2 enter the personal protection order into the L.E.I.N.

3 (18) ~~(15)~~ A personal protection order issued under this
4 section shall be served personally, ~~or~~ by registered or certified
5 mail, return receipt requested, delivery restricted to the
6 addressee at the last known address or addresses of the individual
7 restrained or enjoined or by any other ~~manner provided in~~ **METHOD**
8 **ALLOWED BY** the Michigan court rules. If the individual restrained
9 or enjoined has not been served, a law enforcement officer or clerk
10 of the court who knows that a personal protection order exists may,
11 at any time, serve the individual restrained or enjoined with a
12 true copy of the order or advise the individual restrained or
13 enjoined ~~about~~ **OF** the existence of the personal protection order,
14 the specific conduct enjoined, the penalties for violating the
15 order, and where the individual restrained or enjoined may obtain a
16 copy of the order. If the ~~respondent~~ **INDIVIDUAL RESTRAINED OR**
17 **ENJOINED** is less than 18 years of age, the parent, guardian, or
18 custodian of ~~that~~ **THE** individual shall also be served personally or
19 by registered or certified mail, return receipt requested, delivery
20 restricted to the addressee at the last known address or addresses
21 of the parent, guardian, or custodian. ~~of the individual restrained~~
22 ~~or enjoined.~~ A proof of service or proof of oral notice shall be
23 filed with the clerk of the court issuing the personal protection
24 order. This subsection does not prohibit the immediate
25 effectiveness of a personal protection order or immediate
26 enforcement under subsection ~~(18) or (19)~~ **(21) OR (22)**.

27 (19) ~~(16)~~ The clerk of the court **THAT ISSUED A PERSONAL**

1 **PROTECTION ORDER** shall immediately notify the law enforcement
2 agency that received the personal protection order under subsection
3 ~~(12)~~ **(15)** or ~~(13)~~ **(16)** if either **OR BOTH** of the following ~~occurs~~
4 **OCCUR:**

5 (a) The clerk of the court ~~has received~~ **RECEIVES** proof that
6 the individual restrained or enjoined has been served.

7 (b) The personal protection order is rescinded, modified, or
8 extended by court order.

9 **(20)** ~~(17)~~ The law enforcement agency that receives information
10 under subsection ~~(16)~~ **(19)** shall enter the information or cause the
11 information to be entered into the L.E.I.N.

12 **(21)** ~~(18)~~ Subject to subsection ~~(19)~~ **(22)**, a personal
13 protection order is immediately enforceable anywhere in this state
14 by any law enforcement agency that has received a true copy of the
15 order, is shown a copy of it, or has verified its existence on the
16 L.E.I.N.

17 **(22)** ~~(19)~~ If the individual restrained or enjoined **BY A**
18 **PERSONAL PROTECTION ORDER** has not been served, ~~the~~ **A** law
19 enforcement agency or officer responding to a call alleging a
20 violation of ~~a~~ **THE** personal protection order shall serve the
21 individual restrained or enjoined with a true copy of the order or
22 advise the individual restrained or enjoined ~~about~~ **OF** the existence
23 of the personal protection order, the specific conduct enjoined,
24 the penalties for violating the order, and where the individual
25 restrained or enjoined may obtain a copy of the order. The law
26 enforcement officer shall enforce the personal protection order and
27 immediately enter or cause to be entered into the L.E.I.N. that the

1 individual restrained or enjoined has actual notice of the personal
2 protection order. The law enforcement officer also shall file a
3 proof of service or proof of oral notice with the clerk of the
4 court ~~issuing~~**THAT ISSUED** the personal protection order. If the
5 individual restrained or enjoined has not received notice of the
6 personal protection order, the individual restrained or enjoined
7 shall be given an opportunity to comply with the personal
8 protection order before the law enforcement officer makes a
9 custodial arrest for violation of the personal protection order.
10 Failure to immediately comply with the personal protection order is
11 grounds for an immediate custodial arrest. This subsection does not
12 preclude an arrest under section 15 or 15a of chapter IV of the
13 code of criminal procedure, 1927 PA 175, MCL 764.15 and 764.15a, or
14 a proceeding under section 14 of chapter XIIIA of the probate code
15 of 1939, 1939 PA 288, MCL 712A.14.

16 (23) ~~(20)~~An individual 17 years of age or ~~more~~**OLDER** who
17 refuses or fails to comply with a personal protection order issued
18 under this section is subject to the criminal contempt powers of
19 the court and, if found guilty of criminal contempt, shall be
20 imprisoned for not more than 93 days and may be fined not more than
21 \$500.00. An individual less than 17 years of age who refuses or
22 fails to comply with a personal protection order issued under this
23 section is subject to the dispositional alternatives listed in
24 section 18 of chapter XIIIA of the probate code of 1939, 1939 PA
25 288, MCL 712A.18. The criminal penalty ~~provided for~~ under this
26 section may be imposed in addition to any penalty that may be
27 imposed for any other criminal offense arising from the same

1 conduct.

2 (24) ~~(21)~~—An individual who knowingly and intentionally makes
3 a false statement to ~~the~~ A court in support of his or her petition
4 for a personal protection order is subject to the contempt powers
5 of the court.

6 (25) ~~(22)~~—A personal protection order issued under this
7 section is also enforceable under chapter XIIIA of the probate code
8 of 1939, 1939 PA 288, MCL 712A.1 to 712A.32, and section 15b of
9 chapter IV of the code of criminal procedure, 1927 PA 175, MCL
10 764.15b.

11 (26) ~~(23)~~—A personal protection order issued under this
12 section may enjoin or restrain an individual from purchasing or
13 possessing a firearm.

14 (27) ~~(24)~~—A personal protection order issued under this
15 section is also enforceable under chapter 17.

16 (28) ~~(25)~~—A court shall not issue a personal protection order
17 that restrains or enjoins conduct described in subsection (1) if
18 ~~any~~ **THE RESPONDENT IS A MINOR CHILD LESS THAN 10 YEARS OLD. A COURT**
19 **SHALL NOT ISSUE A PERSONAL PROTECTION ORDER THAT RESTRAINS CONDUCT**
20 **DESCRIBED IN SUBSECTION (1) OR (3) IF EITHER** of the following ~~apply~~
21 **APPLIES:**

22 (a) The respondent is the unemancipated minor child of the
23 petitioner.

24 (b) The petitioner is the unemancipated minor child of the
25 respondent.

26 ~~—— (c) The respondent is a minor child less than 10 years of age.~~

27 (29) ~~(26)~~—If the respondent is less than 18 years ~~of age~~ OLD,

1 issuance of a personal protection order under this section is
2 subject to chapter XIIIA of the probate code of 1939, 1939 PA 288,
3 MCL 712A.1 to 712A.32.

4 (30) ~~(27)~~ A personal protection order ~~that is~~ issued before
5 March 1, 1999 is not invalid on the ground that it does not comply
6 with 1 or more of the requirements added by 1998 PA 476.

7 (31) ~~(28)~~ A court shall not issue a personal protection order
8 ~~under this section if~~ IF the petitioner UNDER THIS SECTION is a
9 prisoner, THE COURT SHALL ONLY ISSUE A PERSONAL PROTECTION ORDER
10 UNDER THIS SECTION IF THE RESPONDENT HAS BEEN CONVICTED OF A SEXUAL
11 ASSAULT IN WHICH THE PETITIONER WAS THE VICTIM. If a personal
12 protection order is issued in violation of this subsection, a court
13 shall rescind the personal protection order upon notification and
14 verification that the petitioner is a prisoner AND THAT THE
15 RESPONDENT HAS NOT BEEN CONVICTED OF A SEXUAL ASSAULT IN WHICH THE
16 PETITIONER WAS THE VICTIM.

17 (32) ~~(29)~~ As used in this section:

18 (A) "CONVICTED" MEANS 1 OF THE FOLLOWING:

19 (i) THE SUBJECT OF A JUDGMENT OF CONVICTION OR A PROBATION
20 ORDER ENTERED IN A COURT THAT HAS JURISDICTION OVER CRIMINAL
21 OFFENSES, INCLUDING A TRIBAL COURT OR A MILITARY COURT.

22 (ii) ASSIGNED TO YOUTHFUL TRAINEE STATUS UNDER SECTIONS 11 TO
23 15 OF CHAPTER II OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175,
24 MCL 762.11 TO 762.15, IF THE INDIVIDUAL'S STATUS OF YOUTHFUL
25 TRAINEE IS REVOKED AND AN ADJUDICATION OF GUILT IS ENTERED.

26 (iii) THE SUBJECT OF AN ORDER OF DISPOSITION ENTERED UNDER
27 SECTION 18 OF CHAPTER XIIIA OF THE PROBATE CODE OF 1939, 1939 PA

1 288, MCL 712A.18, THAT IS OPEN TO THE GENERAL PUBLIC UNDER SECTION
2 28 OF CHAPTER XIIA OF THE PROBATE CODE OF 1939, 1939 PA 288, MCL
3 712A.28.

4 (iv) THE SUBJECT OF AN ORDER OF DISPOSITION OR OTHER
5 ADJUDICATION IN A JUVENILE MATTER IN ANOTHER STATE OR COUNTRY.

6 (B) ~~(a)~~-"Federal law enforcement officer" means an officer or
7 agent employed by a law enforcement agency of the United States
8 government whose primary responsibility is the enforcement of laws
9 of the United States.

10 (C) ~~(b)~~-"L.E.I.N." means the law enforcement information
11 network administered under the ~~L.E.I.N.-C.J.I.S.~~ policy council
12 act, ~~of 1974,~~ 1974 PA 163, MCL 28.211 to ~~28.216~~ 28.215.

13 (D) ~~(c)~~-"Personal protection order" means an injunctive order
14 issued by **THE** circuit court or the family division of circuit court
15 restraining or enjoining conduct prohibited under ~~section 411h or~~
16 ~~411i of the Michigan penal code, 1931 PA 328, MCL 750.411h and~~
17 ~~750.411i~~ SUBSECTION (1) OR (3).

18 (E) ~~(d)~~-"Prisoner" means a person subject to incarceration,
19 detention, or admission to a prison who is accused of, convicted
20 of, sentenced for, or adjudicated delinquent for violations of
21 federal, state, or local law or the terms and conditions of parole,
22 probation, pretrial release, or a diversionary program.

23 (F) "SEXUAL ASSAULT" MEANS AN ACT, ATTEMPTED ACT, OR
24 CONSPIRACY TO ENGAGE IN AN ACT OF CRIMINAL CONDUCT AS DEFINED IN
25 SECTION 520B, 520C, 520D, 520E, OR 520G OF THE MICHIGAN PENAL CODE,
26 1931 PA 328, MCL 750.520B, 750.520C, 750.520D, 750.520E, AND
27 750.520G, OR THE FURNISHING OF OBSCENE MATERIALS TO A MINOR AS

1 DESCRIBED IN SECTION 142 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
2 MCL 750.142, OR AN OFFENSE UNDER A LAW OF THE UNITED STATES,
3 ANOTHER STATE, OR TRIBAL OR MILITARY LAW THAT IS SUBSTANTIALLY
4 SIMILAR TO AN OFFENSE LISTED IN THIS SUBDIVISION.

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No.____ or House Bill No. 4221(request no.
7 00472'09 a) of the 95th Legislature is enacted into law.