

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.167b Bondsman in criminal cases; procurement of attorney; maximum charge for bond; dismissal of charge; list of bondsmen; posting; compilation; record; violation; penalty.

Sec. 167b. (1) No person engaged, either as principal or as the clerk, agent or representative of another, in the business of becoming surety upon bonds for compensation in any criminal case, either directly or indirectly, shall give, donate, lend or contribute, or promise to give, donate, lend or contribute, any money or property to any attorney at law, police officer, sheriff, jailer, probation officer, clerk or other attache of any criminal court, or public official or employee, for procuring, or assisting in procuring, any person to employ the bondsman to execute as surety any bond for compensation in any criminal case. No attorney at law, police officer, sheriff, jailer, probation officer, clerk or other attache of any criminal court, or public official or employee of any character, shall accept or receive from any person engaged in the bonding business any money or property for procuring, or assisting in procuring, any person to employ any bondsman to execute as surety any bond for compensation in any criminal case.

(2) No person engaged, either as principal or as the clerk, agent or representative of another, in the business of becoming surety upon bonds for compensation in any criminal case, either directly or indirectly, shall procure, suggest, aid in the procurement of or cause in any way whatsoever the obtaining or employing of any attorney at law for any person in a criminal case.

(3) It shall be lawful to charge for executing any bond in a criminal case, but no person engaged in the bonding business, either as principal or clerk, agent or representative of another, either directly or indirectly, shall charge, accept or receive any sum of money or property, other than the regular prevailing fee for bonding, which shall not exceed 10% of the face value of the bond for a 12 month period or any part thereof, from any person for whom he has executed bond, for any other service whatever performed in connection with any indictment, information or charge upon which the person is bailed or held. No person engaged, either as principal or as the clerk, agent or representative of another, in the bonding business shall settle or attempt to settle, or shall procure or attempt to procure, the dismissal of any indictment, information or charge against any person in custody or held upon bond with any court or with the prosecuting attorney in any court.

(4) A typewritten or printed list, alphabetically arranged, of all persons engaged in the business of becoming surety upon bonds for compensation in criminal cases within the county shall be posted in a conspicuous place in each police precinct, jail, prisoner's dock and house of detention and in every other place in which persons in custody of the law are detained, and 1 or more copies thereof shall be kept on hand. The list shall be compiled annually by the judges of the circuit court of each circuit, and the names of persons engaged in the business of becoming surety upon bonds for compensation shall be added to the list by the judges upon proper application. When any person who is detained in custody in any such place of detention requests any person in charge thereof to furnish him the name of a bondsman, or to put him in communication with a bondsman, the list shall be furnished to the person so requesting, without recommendation, and the person in charge of the place of detention within a reasonable time shall put the person detained in communication with the bondsman selected and, contemporaneously with the transaction, make in the blotter or book of record kept in any place of detention a record showing the name of the person requesting the bondsman, the offense with which the person is charged, the time at which the request was made, the bondsman requested, and the person by whom the bondsman was called, and preserve the same as a permanent record in the book or blotter in which entered.

(5) Any person violating any provision of this section shall be punished as provided in section 168.

History: Add. 1963, Act 169, Eff. Sept. 6, 1963.