

HOUSE BILL No. 4918

May 12, 2009, Introduced by Reps. Rick Jones, Johnson, Scripps, Kowall, Durhal, Nathan, Miller, Constan, Liss, Jackson, Tlaib, Geiss, Young, Stanley and Leland 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

1 and determine the period and conditions of probation. The order is
2 part of the record in the cause. The court may amend the order in
3 form or substance at any time.

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

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

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

23 Enacting section 1. This amendatory act does not take effect
24 unless all of the following bills of the 95th Legislature are
25 enacted into law:

26 (a) Senate Bill No. _____ or House Bill No. 4920 (request no.
27 01348'09).

1 (b) Senate Bill No. _____ or House Bill No. 4919 (request no.
2 01348'09 a).

3 (c) Senate Bill No. _____ or House Bill No. 4921 (request no.
4 01349'09).