

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Senators Jones, Rocca and Schuitmaker

ENROLLED SENATE BILL No. 1126

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 760.1 to 777.69) by adding section 3e to chapter XI.

The People of the State of Michigan enact:

CHAPTER XI

Sec. 3e. (1) If the court permits an individual convicted of a felony to be released from jail under section 3 of this chapter for purposes of attending work or school, the court shall order the individual to wear an electronic monitoring device on his or her person that will provide a signal to the county sheriff through the use of the global positioning satellite system or by other means of the individual's movement and location at all times while he or she is on that release. The device shall be an ankle-worn device approved by the court that provides information to the county sheriff if it is tampered with or removed. The information provided by the electronic monitoring device shall be recorded and monitored by the county sheriff to ensure the individual's compliance with his or her work release requirements. The installation, maintenance, monitoring, and removal costs of the electronic monitoring device shall be paid for by the individual.

(2) This section applies only if the court has in place a program to provide for the electronic monitoring of individuals placed on probation that complies with the requirements of this section.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1127 of the 96th Legislature is enacted into law.

Carol Morey Viventi

Secretary of the Senate

Gay E. Randall

Clerk of the House of Representatives

Approved

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Governor