

# SENATE BILL No. 209

March 7, 1989, Introduced by Senators POSTHUMUS, GEAKE, CARL, SHINKLE, CROSEY, SCHWARZ and FAUST and referred to the Committee on Economic Development.

A bill to amend section 30 of chapter 147 of the Revised Statutes of 1846, entitled

"Of admitting prisoners to the liberties of jails, of escapes, and proceedings on the election of a new sheriff,"

being section 51.130 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Section 1. Section 30 of chapter 147 of the Revised
- 2 Statutes of 1846, being section 51.130 of the Michigan Compiled
- 3 Laws, is amended to read as follows:
- 4       Sec. 30. (1) ~~Within~~ EXCEPT AS PROVIDED IN SUBSECTION (2),
- 5 WITHIN 10 days after ~~the service of such~~ A certificate UNDER
- 6 SECTION 28 IS SERVED upon ~~such~~ THE former sheriff, ~~he~~ THE
- 7 FORMER SHERIFF shall deliver to his OR HER successor ~~—~~ ALL OF
- 8 THE FOLLOWING:

1       (A) ~~First.~~ The jail of the county, with all its  
2 appurtenances, and the property of the county ~~therein:~~ WITHIN  
3 THE JAIL.

4       (B) ~~Second.~~ All the prisoners then confined in ~~such~~ THE  
5 jail. ~~—~~

6       (C) ~~Third.~~ All process, orders, rules, commitments, and  
7 all other papers or documents in ~~his~~ THE FORMER SHERIFF'S cus-  
8 tody, authorizing, or relating to, the confinement of ~~such~~  
9 prisoners, ~~—~~ and, if any ~~such~~ process ~~shall have~~ HAS been  
10 returned, a statement in writing of the contents ~~thereof,~~ OF  
11 THE PROCESS and when IT WAS returned. ~~—~~

12       (D) ~~Fourth.~~ All writs of capias ad respondendum, and other  
13 original process, and all precepts and other documents, for the  
14 summoning of a grand or petit jury, then in ~~his~~ THE FORMER  
15 SHERIFF'S hands, which ~~shall not~~ have NOT been fully executed  
16 by ~~him:~~ THE FORMER SHERIFF.

17       (E) ~~Fifth.~~ All executions, attachments, and final process  
18 then in ~~his~~ THE FORMER SHERIFF'S hands, except ~~such as~~  
19 EXECUTIONS, ATTACHMENTS, AND FINAL PROCESS THAT the ~~said~~ former  
20 sheriff ~~shall have~~ HAS executed, or ~~shall have~~ HAS begun to  
21 execute by the collection of money ~~thereon,~~ or by a levy on  
22 property. ~~in pursuance thereof.~~

23       (2) THIS SECTION DOES NOT AFFECT A JAIL OPERATED BY A PRI-  
24 VATE ENTITY UNDER A CONTRACT WITH A COUNTY PURSUANT TO THE ALTER-  
25 NATIVE JAILS ACT.

1       Section 2. This amendatory act shall not take effect unless  
2 Senate Bill No. 216  
3                   of the 85th Legislature is enacted into law.