

SUBSTITUTE FOR  
SENATE BILL NO. 559

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 9f of chapter IV (MCL 764.9f), as amended by  
1998 PA 264.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1

CHAPTER IV

2       Sec. 9f. (1) As used in sections ~~9a~~ 9B to 9g, "appearance  
3 ticket" means a complaint or written notice issued and subscribed  
4 by a police officer or other public servant authorized by law or  
5 ordinance to issue it ~~,~~ directing a designated person to appear  
6 in a designated local criminal court at a designated future time  
7 in connection with his or her alleged commission of a designated  
8 violation or violations of state law or local ordinance for which  
9 ~~, except as otherwise provided in subsection (2),~~ the maximum  
10 permissible penalty does not exceed ~~90~~ 93 days in jail ~~and~~ OR

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1 a fine, ~~of \$500.00~~ OR BOTH. The appearance tickets shall be  
2 numbered consecutively, be in ~~such~~ A form ~~as determined~~  
3 REQUIRED by the attorney general, the state court administrator,  
4 and the director of the department of state police, and ~~shall~~  
5 consist of the following parts:

6 (a) The original which shall be a complaint or notice to  
7 appear by the officer and filed with the court.

8 (b) The first copy which shall be the abstract of court  
9 record.

10 (c) The second copy which shall be retained by the local  
11 enforcement agency.

12 (d) The third copy which shall be delivered to the alleged  
13 violator.

14 (2) ~~An appearance ticket may be issued for a misdemeanor~~  
15 ~~violation of 1 of the following acts for which the maximum per-~~  
16 ~~missible penalty does not exceed 92 days in jail and a fine:~~

17 (a) ~~Part 487 of the natural resources and environmental pro-~~  
18 ~~tection act, 1994 PA 451, MCL 324.48701 to 324.48740.~~

19 (b) ~~Part 401 of the natural resources and environmental pro-~~  
20 ~~tection act, 1994 PA 451, MCL 324.40101 to 324.40119.~~

21 (c) ~~The personal watercraft safety act, 1998 PA 116,~~  
22 ~~MCL 281.1401 to 281.1445.~~ AN APPEARANCE TICKET SHALL NOT BE  
23 ISSUED TO ANY OF THE FOLLOWING:

24 (A) A PERSON ARRESTED FOR A VIOLATION OF SECTION 81 OR 81A  
25 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81 AND 750.81A,  
26 OR A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 81 OF  
27 THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81, IF THE VICTIM

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1 OF THE ASSAULT IS THE OFFENDER'S SPOUSE, FORMER SPOUSE, AN  
2 INDIVIDUAL WHO HAS HAD A CHILD IN COMMON WITH THE OFFENDER, OR AN  
3 INDIVIDUAL RESIDING OR HAVING RESIDED IN THE SAME HOUSEHOLD AS  
4 THE OFFENDER.

5 (B) A PERSON SUBJECT TO DETAINMENT FOR VIOLATING A PERSONAL  
6 PROTECTION ORDER.

7

8 (C) A PERSON SUBJECT TO A MANDATORY PERIOD OF CONFINEMENT,  
9 CONDITION OF BOND, OR OTHER CONDITION OF RELEASE UNTIL HE OR SHE  
10 HAS SERVED THAT PERIOD OF CONFINEMENT OR MEETS THAT REQUIREMENT  
11 OF BOND OR OTHER CONDITION OF RELEASE.

12 (3) With the prior approval of the state officials listed in  
13 subsection (1), an appearance ticket may be appropriately modi-  
14 fied as to content or number of copies to accommodate law  
15 enforcement and local court procedures and practices.

16 Enacting section 1. This amendatory act takes effect  
17 October 1, 1999.

18 Enacting section 2. This amendatory act does not take  
19 effect unless all of the following bills of the 90th Legislature  
20 are enacted into law:

21 (a) Senate Bill No. 556.

22 (b) Senate Bill No. 557.

23 (c) Senate Bill No. 558.

24 (d) Senate Bill No. 560.

25 (e) House Bill No. 4580.

26 (f) House Bill No. 4581.

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- 1 (g) House Bill No. 4582.
- 2 (h) House Bill No. 4583.
- 3 (i) House Bill No. 4584.
- 4 (j) House Bill No. 4585.