
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 5270 (Substitute H-1 as passed by the House)
Sponsor: Representative Sandra Caul
House Committee: Criminal Justice
Senate Committee: Judiciary

Date Completed: 3-5-02

CONTENT

The bill would amend Public Act 189 of 1966, which provides search warrant procedures, to specify that a search warrant, affidavit, or tabulation contained in any court file or record retention system would be nonpublic information.

MCL 780.651

BACKGROUND

Under Public Act 189, a search warrant must state the grounds or the probable or reasonable cause for its issuance, or have attached to it a copy of an affidavit that established grounds for issuing the search warrant and was made on oath to a magistrate or judge. When an officer executing a search warrant finds property or seizes any of the other things for which a search warrant is allowed, the officer must make a complete tabulation of the property and things seized. The officer must give the person from whom, or from whose premises, the property was taken a copy of the warrant and a copy of the tabulation, or leave a copy of the warrant and the tabulation at the place from which the property or thing was taken. The officer also must file the tabulation promptly with the court or magistrate. The tabulation may be suppressed by court order until the final disposition of the case, unless otherwise ordered.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bill Bowerman

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