

# SENATE BILL No. 1602

November 6, 2008, Introduced by Senator SWITALSKI 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

1  
2       Sec. 2. (1) Except as provided in section 2a of this chapter,  
3 if the defendant is convicted for an offense that is not a felony,  
4 the probation period shall not exceed 2 years. Except as provided  
5 in section 2a of this chapter, if the defendant is convicted of a  
6 felony, the probation period shall not exceed 5 years.

7       (2) The court shall by order, to be filed or entered in the  
8 cause as the court may direct by general rule or in each case, fix  
9 and determine the period and conditions of probation. The order is

1 part of the record in the cause. The court may amend the order in  
2 form or substance at any time.

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

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

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

22 Enacting section 1. This amendatory act does not take effect  
23 unless all of the following bills of the 94th Legislature are  
24 enacted into law:

25 (a) Senate Bill No. 1600.

26

27 (b) Senate Bill No. 1601.