



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 188 (as introduced 2-4-09)
Sponsor: Senator Alan L. Cropsy
Committee: Judiciary

Date Completed: 3-2-09

CONTENT

The bill would amend Public Act 189 of 1966, which regulates the issuance of search warrants, to allow a warrant to be issued to search for and seize a person who is the subject of either of the following:

- An arrest warrant for the apprehension of a person charged with a crime.
- A bench warrant issued in a criminal case.

Under the Act, when an affidavit is made on oath to a magistrate authorized to issue warrants in criminal cases, the affidavit establishes grounds for issuing a warrant, and the magistrate is satisfied that there is probable cause for the search, the magistrate must issue a warrant to search the house, building, or other location or place where the property or thing to be searched for is situated. The bill would refer to the house, building, or other location or place where the person, property, or thing to be searched for and seized is situated.

In addition, the Act requires a search warrant to be directed to a law enforcement officer to search the house, building, or other location or place where any property or other thing for which the officer is required to search is believed to be concealed. The bill would refer to the person as well as the property or thing.

MCL 780.651 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have a de minimus fiscal impact.

Fiscal Analyst: Stephanie Yu

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.