

# HOUSE BILL No. 5610

February 25, 1998, Introduced by Rep. Callahan and referred to the Committee on Conservation, Environment and Recreation.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 9f (MCL 764.9f), as amended by 1996 PA 81.

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

1       Sec. 9f. (1) As used in sections 9a to 9g, "appearance  
2 ticket" means a complaint or written notice issued and subscribed  
3 by a police officer or other public servant authorized by law or  
4 ordinance to issue it, directing a designated person to appear in  
5 a designated local criminal court at a designated future time in  
6 connection with his or her alleged commission of a designated  
7 violation or violations of state law or local ordinance for  
8 which, except as otherwise provided in subsection (2), the maxi-  
9 mum permissible penalty does not exceed 90 days in jail and a  
10 fine of \$500.00. The appearance tickets shall be numbered  
11 consecutively, be in such form as determined by the attorney

1 general, the state court administrator, and the director of the  
2 department of state police and shall consist of the following  
3 parts:

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

6 (b) The first copy which shall be the abstract of court  
7 record.

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

10 (d) The third copy which shall be delivered to the alleged  
11 violator.

12 (2) An appearance ticket may be issued for a misdemeanor  
13 violation of ~~either~~ 1 of the following acts for which the maxi-  
14 mum permissible penalty does not exceed 92 days in jail and a  
15 fine:

16 (a) Part 487 ~~(sport fishing)~~ of the natural resources and  
17 environmental protection act, ~~Act No. 451 of the Public Acts of~~  
18 ~~1994, being sections 324.48701 to 324.48740 of the Michigan~~  
19 ~~Compiled Laws~~ 1994 PA 451, MCL 324.48701 TO 324.48740.

20 (b) Part 401 ~~(wildlife conservation)~~ of ~~Act No. 451 of~~  
21 ~~the Public Acts of 1994, being sections 324.40101 to 324.40119 of~~  
22 ~~the Michigan Compiled Laws~~ THE NATURAL RESOURCES AND ENVIRONMEN-  
23 TAL PROTECTION ACT, 1994 PA 451, MCL 324.40101 TO 324.40119.

24 (C) THE PERSONAL WATERCRAFT SAFETY ACT.

25 (3) With the prior approval of ~~such~~ THE state officials  
26 LISTED IN SUBSECTION (1), ~~such~~ AN appearance ticket may be  
27 appropriately modified as to content or number of copies to

1 accommodate law enforcement and local court procedures and  
2 practices.

3       Enacting section 1. This amendatory act does not take  
4 effect unless House Bill No. 5426 of the 89th Legislature is  
5 enacted into law.