

Act No. 264
Public Acts of 1998
Approved by the Governor
July 16, 1998
Filed with the Secretary of State
July 17, 1998

EFFECTIVE DATE: 91st day after final adjournment of the 1998 Regular Session

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Senators Cisky, North, Stille, Hart, Young, Gougeon, Shugars and Jaye

ENROLLED SENATE BILL No. 897

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 9f of chapter IV (MCL 764.9f), as amended by 1996 PA 81.

The People of the State of Michigan enact:

CHAPTER IV

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

- (a) The original which shall be a complaint or notice to appear by the officer and filed with the court.
- (b) The first copy which shall be the abstract of court record.
- (c) The second copy which shall be retained by the local enforcement agency.
- (d) The third copy which shall be delivered to the alleged violator.

(2) An appearance ticket may be issued for a misdemeanor violation of 1 of the following acts for which the maximum permissible penalty does not exceed 92 days in jail and a fine:

- (a) Part 487 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.48701 to 324.48740.
- (b) Part 401 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.40101 to 324.40119.
- (c) The personal watercraft safety act, 1998 PA 116, MCL 281.1401 to 281.1445.

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

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 865 of the 89th Legislature is enacted into law.

Carol Morey Viventi

Secretary of the Senate.

Harry R. ...

Clerk of the House of Representatives.

Approved _____

Governor.