

HOUSE BILL NO. 5643

April 18, 2024, Introduced by Reps. Wozniak, St. Germaine, DeBoyer, Tisdell, Aragona, Steele and Kuhn and referred to the Committee on Criminal Justice.

A bill to amend 1966 PA 257, entitled

"An act to provide for bail of persons arrested for or accused of criminal offenses involving traffic offenses or misdemeanors; by prescribing the conditions under which security is required; by prescribing the kind and amount of security required; by prescribing the conditions under which security may be forfeited and the manner of forfeiture; by prescribing penalties for violations; and to repeal certain acts and parts of acts,"

by amending section 9 (MCL 780.69).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9. (1) If a person is admitted to bail before conviction,

1 the conditions of the bail bond ~~shall~~**must** be that ~~he will~~**the**
2 **person shall agree to all of the following:**

3 (a) Appear to answer the charge in the court ~~having with~~
4 jurisdiction on a day certain and ~~thereafter~~ as ordered by the
5 court until discharged or final order of the court.

6 (b) Submit ~~himself~~ to the orders and process of the court.

7 (c) Not depart this state without leave.

8 **(2) If a person was in possession of a firearm when arrested**
9 **for a misdemeanor offense and is admitted to bail before**
10 **conviction, the court may order that the person undergo a mental**
11 **health screening assessment under section 6f of chapter V of the**
12 **code of criminal procedure, 1927 PA 175, MCL 765.6f.**

13 **(3) ~~(2)~~ If the defendant is admitted to bail after conviction**
14 **the conditions of the bail bond ~~shall~~**must** be that ~~he will~~**the the****
15 **defendant shall agree to all of the following:**

16 (a) Duly prosecute ~~his~~**the defendant's** appeal.

17 (b) Appear at such time and place as the court may direct.

18 (c) Not depart this state without leave of the court.

19 (d) If the judgment is affirmed or the cause reversed and
20 remanded for a new trial, ~~forthwith~~**immediately** surrender to the
21 officer from whose custody ~~he~~**the defendant** was bailed.

22 Enacting section 1. This amendatory act does not take effect
23 unless Senate Bill No. ____ or House Bill No. 5642 (request no.
24 05787'24) of the 102nd Legislature is enacted into law.