

**SUBSTITUTE FOR
SENATE BILL NO. 612**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 2950a (MCL 600.2950a), as amended by 2018 PA
146, and by adding sections 2950d and 2950p.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2950a. (1) Except as provided in subsections ~~(27),~~ (28),
2 ~~and (30),~~ **(29), and (31)**, by commencing an independent action to
3 obtain relief under this section, by joining a claim to an action,
4 or by filing a motion in an action in which the petitioner and the
5 individual to be restrained or enjoined are parties, an individual
6 may petition the family division of circuit court to enter a
7 personal protection order to restrain or enjoin an individual from
8 engaging in conduct that is prohibited under section 411h, 411i, or



411s of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s. A court shall not grant relief under this subsection unless the petition alleges facts that constitute stalking as defined in section 411h or 411i, or conduct that is prohibited under section 411s, of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s. Relief may be sought and granted under this subsection whether or not the individual to be restrained or enjoined has been charged or convicted under section 411h, 411i, or 411s of the Michigan penal code, 1931 PA 328, MCL 750.411h, 750.411i, and 750.411s, for the alleged violation.

(2) Except as provided in subsections ~~(27), (28), and (30),~~ **(29), and (31)**, by commencing an independent action to obtain relief under this section, by joining a claim to an action, or by filing a motion in an action in which the petitioner and the individual to be restrained or enjoined are parties, an individual may petition the family division of circuit court to enter a personal protection order to restrain or enjoin an individual from engaging in any of the following:

(a) One or more of the acts listed in subsection (3), if the respondent has been convicted of a sexual assault of the petitioner, or the respondent has been convicted of furnishing obscene material to the petitioner under section 142 of the Michigan penal code, 1931 PA 328, MCL 750.142, or a substantially similar law of the United States, another state, or a foreign country or tribal or military law. A court shall grant relief under this subdivision if the court determines that the respondent has been convicted of a sexual assault of the petitioner or that the respondent was convicted of furnishing obscene material to the petitioner under section 142 of the Michigan penal code, 1931 PA



1 328, MCL 750.142, or a substantially similar law of the United
2 States, another state, or a foreign country or tribal or military
3 law.

4 (b) One or more of the acts listed in subsection (3), if the
5 petitioner has been subjected to, threatened with, or placed in
6 reasonable apprehension of sexual assault by the individual to be
7 enjoined. A court shall not grant relief under this subdivision
8 unless the petition alleges facts that demonstrate that the
9 respondent has perpetrated or threatened sexual assault against the
10 petitioner. Evidence that a respondent has furnished obscene
11 material to a minor petitioner is evidence that the respondent has
12 threatened sexual assault against the petitioner. Relief may be
13 sought and granted under this subdivision regardless of whether the
14 individual to be restrained or enjoined has been charged with or
15 convicted of sexual assault or an offense under section 142 of the
16 Michigan penal code, 1931 PA 328, MCL 750.142, or a substantially
17 similar law of the United States, another state, or a foreign
18 country or tribal or military law.

19 (3) The court may restrain or enjoin an individual against
20 whom a protection order is sought under subsection (2) from 1 or
21 more of the following:

22 (a) Entering onto premises.

23 (b) Threatening to sexually assault, kill, or physically
24 injure petitioner or a named individual.

25 (c) Purchasing or possessing a firearm.

26 (d) Interfering with the petitioner's efforts to remove the
27 petitioner's children or personal property from premises that are
28 solely owned or leased by the individual to be restrained or
29 enjoined.



1 (e) Interfering with the petitioner at the petitioner's place
2 of employment or education or engaging in conduct that impairs the
3 petitioner's employment or educational relationship or environment.

4 (f) Following or appearing within the sight of the petitioner.

5 (g) Approaching or confronting the petitioner in a public
6 place or on private property.

7 (h) Appearing at the petitioner's workplace or residence.

8 (i) Entering onto or remaining on property owned, leased, or
9 occupied by the petitioner.

10 (j) Contacting the petitioner by telephone.

11 (k) If the petitioner is a minor who is enrolled in a public
12 or nonpublic school that operates any of grades K to 12, attending
13 school in the same building as the petitioner.

14 (l) Sending mail or electronic communications to the
15 petitioner.

16 (m) Placing an object on, or delivering an object to, property
17 owned, leased, or occupied by the petitioner.

18 (n) Engaging in conduct that is prohibited under section 411s
19 of the Michigan penal code, 1931 PA 328, MCL 750.411s.

20 (o) Any other specific act or conduct that imposes upon or
21 interferes with personal liberty or that causes a reasonable
22 apprehension of violence or sexual assault.

23 (4) Section 520j of the Michigan penal code, 1931 PA 328, MCL
24 750.520j, applies in any hearing on a petition for, a motion to
25 modify or terminate, or an alleged violation of a personal
26 protection order requested or issued under subsection (2), except
27 as follows:

28 (a) The written motion and offer of proof must be filed at
29 least 24 hours before a hearing on a petition to issue a personal



1 protection order or on an alleged violation of a personal
2 protection order.

3 (b) The written motion and offer of proof must be filed at the
4 same time that a motion to modify or terminate a personal
5 protection order is filed.

6 (5) If the respondent to a petition under this section is an
7 individual who is issued a license to carry a concealed weapon and
8 is required to carry a weapon as a condition of ~~his or her~~
9 employment, a police officer licensed or certified by the Michigan
10 commission on law enforcement standards act, 1965 PA 203, MCL
11 28.601 to 28.615, a sheriff, a deputy sheriff or a member of the
12 Michigan department of state police, a local corrections officer, a
13 department of corrections employee, or a federal law enforcement
14 officer who carries a firearm during the normal course of ~~his or~~
15 ~~her~~ employment, the petitioner shall notify the court of the
16 respondent's occupation before the personal protection order is
17 issued. This subsection does not apply to a petitioner who does not
18 know the respondent's occupation.

19 (6) A petitioner may omit ~~his or her~~ **the petitioner's** address
20 of residence from documents filed with the court under this
21 section. If a petitioner omits ~~his or her~~ **the petitioner's** address
22 of residence, the petitioner shall provide the court a mailing
23 address.

24 (7) If a court issues or refuses to issue a personal
25 protection order, the court shall immediately state in writing the
26 specific reasons for issuing or refusing to issue the personal
27 protection order. If a hearing is held, the court shall also
28 immediately state on the record the specific reasons for issuing or
29 refusing to issue a personal protection order.



(8) A court shall not issue a mutual personal protection order. Correlative separate personal protection orders are prohibited unless both parties have properly petitioned the court under subsection (1) or (2).

(9) A personal protection order is effective and immediately enforceable anywhere in this state after being signed by a judge. Upon service, a personal protection order also may be enforced by another state, an Indian tribe, or a territory of the United States.

(10) The court that issues a personal protection order shall designate **in the order** a law enforcement agency that is responsible for entering the personal protection order into the L.E.I.N.

(11) The court that issues a personal protection order shall designate in the order a law enforcement agency that is responsible for serving the order, and the petition and notice of hearing, if applicable, on the respondent. The law enforcement agency designated under this subsection must be an agency within whose jurisdiction the respondent resides. This subsection does not bar any other law enforcement agency or any legally competent adult who is not a party to the action from serving these documents.

(12) ~~(11)~~ A personal protection order issued under this section must include all of the following, to the extent practicable in a single form:

(a) A statement that the personal protection order has been entered to enjoin or restrain conduct listed in the order and that violation of the personal protection order will subject the individual restrained or enjoined to 1 or more of the following:

(i) If the respondent is 17 years of age or older, immediate arrest and the civil and criminal contempt powers of the court. If



1 the respondent is found guilty of criminal contempt, ~~he or she~~ **the**
2 **respondent** must be imprisoned for not more than 93 days and may be
3 fined not more than \$500.00.

4 (ii) If the respondent is less than 17 years of age, immediate
5 apprehension or being taken into custody and the dispositional
6 alternatives listed in section 18 of chapter XIIIA of the probate
7 code of 1939, 1939 PA 288, MCL 712A.18.

8 (iii) If the respondent violates the personal protection order
9 in a jurisdiction other than this state, the enforcement procedures
10 and penalties of the state, Indian tribe, or United States
11 territory under whose jurisdiction the violation occurred.

12 (b) A statement that the personal protection order is
13 effective and immediately enforceable anywhere in this state after
14 being signed by a judge, and that on service, a personal protection
15 order also may be enforced by another state, an Indian tribe, or a
16 territory of the United States.

17 (c) A statement listing each type of conduct enjoined.

18 (d) An expiration date stated clearly on the face of the
19 order.

20 (e) A statement that the personal protection order is
21 enforceable anywhere in this state by any law enforcement agency.

22 (f) The name of the law enforcement agency designated by the
23 court to enter the personal protection order into the L.E.I.N.

24 **(g) The name of the law enforcement agency designated by the**
25 **court to serve the personal protection order on the respondent.**

26 **(h) ~~(g)~~**For an ex parte order, a statement that the individual
27 restrained or enjoined may file a motion to modify or rescind the
28 personal protection order and request a hearing within 14 days
29 after the individual restrained or enjoined is served or receives



1 actual notice of the personal protection order and that motion
2 forms and filing instructions are available from the clerk of the
3 court.

4 (13) ~~(12)~~—A court shall not issue a personal protection order
5 ex parte without written or oral notice to the individual enjoined
6 or ~~his or her~~ **the individual's** attorney unless it clearly appears
7 from specific facts shown by a verified complaint, written motion,
8 or affidavit that immediate and irreparable injury, loss, or damage
9 will result from the delay required to effectuate notice or that
10 the notice will precipitate adverse action before a personal
11 protection order can be issued.

12 (14) ~~(13)~~—A personal protection order issued under subsection
13 ~~(12)~~ **(13)** is valid for not less than 182 days. The individual
14 restrained or enjoined may file a motion to modify or rescind the
15 personal protection order and request a hearing under the Michigan
16 court rules. A motion to modify or rescind the personal protection
17 order must be filed within 14 days after the order is served or
18 after the individual restrained or enjoined receives actual notice
19 of the personal protection order unless good cause is shown for
20 filing the motion after 14 days have elapsed.

21 (15) ~~(14)~~—Except as otherwise provided in this subsection, a
22 court shall schedule a hearing on a motion to modify or rescind an
23 ex parte personal protection order within 14 days after the motion
24 to modify or rescind is filed. If the respondent is a person
25 described in subsection (5) and the personal protection order
26 prohibits him or her from purchasing or possessing a firearm, the
27 court shall schedule a hearing on the motion to modify or rescind
28 the ex parte personal protection order within 5 days after the
29 motion to modify or rescind is filed.



1 **(16)** ~~(15)~~—The clerk of the court that issues a personal
 2 protection order shall do all of the following immediately upon
 3 issuance without requiring proof of service on the individual
 4 restrained or enjoined:

5 (a) ~~File~~**Transmit** a true copy of the personal protection order
 6 ~~with~~**to** the law enforcement agency **or agencies** designated by the
 7 court in the personal protection order **under subsections (10) and**
 8 **(11)**.

9 (b) Provide the petitioner with 2 or more true copies of the
 10 personal protection order **at no cost to the petitioner**.

11 (c) **Inform the petitioner that the personal protection order**
 12 **and the petition and notice of hearing, if applicable, must be**
 13 **served as soon as practicable, but not later than 72 hours after**
 14 **issuance, by the law enforcement agency designated by the court**
 15 **under subsection (11), and will be served at no cost to the**
 16 **petitioner if money in the personal protection order service fund**
 17 **has not been fully expended.**

18 (d) ~~(e)~~—If the individual restrained or enjoined is identified
 19 in the pleadings as a law enforcement officer, notify the officer's
 20 employing law enforcement agency of the existence of the personal
 21 protection order.

22 (e) ~~(d)~~—If the personal protection order prohibits the
 23 individual restrained or enjoined from purchasing or possessing a
 24 firearm, notify the county clerk of the individual's county of
 25 residence of the existence and content of the personal protection
 26 order.

27 (f) ~~(e)~~—If the individual restrained or enjoined is identified
 28 in the pleadings as a department of corrections employee, notify
 29 the department of corrections of the existence of the personal



1 protection order.

2 (g) ~~(f)~~ If the individual restrained or enjoined is identified
3 in the pleadings as a person who may have access to information
4 concerning the petitioner or a child of the petitioner or
5 individual and that information is contained in friend of the court
6 records, notify the friend of the court for the county in which the
7 information is located of the existence of the personal protection
8 order.

9 (17) ~~(16)~~ The clerk of a court that issues a personal
10 protection order shall inform the petitioner that ~~he or she~~ **the**
11 **petitioner** may take a true copy of the personal protection order to
12 the law enforcement agency designated by the court under subsection
13 (10) to be immediately entered into the L.E.I.N.

14 (18) ~~(17)~~ The law enforcement agency that receives a true copy
15 of a personal protection order under subsection ~~(15) or (16)~~ **or**
16 **(17)** shall immediately, without requiring proof of service, enter
17 the personal protection order into the L.E.I.N.

18 (19) ~~(18)~~ A personal protection order issued under this
19 section must be served ~~personally, by registered or certified mail,~~
20 ~~return receipt requested, delivery restricted to the addressee at~~
21 ~~the last known address or addresses of the individual restrained or~~
22 ~~enjoined or by any other method allowed by the Michigan court~~
23 ~~rules.~~ **as provided in section 2950d.** If the individual restrained
24 or enjoined has not been served, a law enforcement officer or clerk
25 of the court who knows that a personal protection order exists may,
26 at any time, serve the individual restrained or enjoined with a
27 true copy of the order or advise the individual restrained or
28 enjoined of the existence of the personal protection order, the
29 specific conduct enjoined, the penalties for violating the order,



1 and where the individual restrained or enjoined may obtain a copy
 2 of the order. ~~If the individual restrained or enjoined is less than~~
 3 ~~18 years of age, the parent, guardian, or custodian of the~~
 4 ~~individual must also be served personally or by registered or~~
 5 ~~certified mail, return receipt requested, delivery restricted to~~
 6 ~~the addressee at the last known address or addresses of the parent,~~
 7 ~~guardian, or custodian.~~ A proof of service or proof of oral notice
 8 must be filed with the clerk of the court issuing the personal
 9 protection order. This subsection does not prohibit the immediate
 10 effectiveness of a personal protection order or immediate
 11 enforcement under subsection ~~(21) or (22)~~ **or (23)**.

12 **(20)** ~~(19)~~ The clerk of the court that issued a personal
 13 protection order shall immediately notify the law enforcement
 14 agency that received the personal protection order under subsection
 15 ~~(15) or (16)~~ **or (17)** if either or both of the following occur:

16 (a) The clerk of the court receives proof that the individual
 17 restrained or enjoined has been served. **This subdivision does not**
 18 **apply if the law enforcement agency that received the personal**
 19 **protection order serves the personal protection order.**

20 (b) The personal protection order is rescinded, modified, or
 21 extended by court order.

22 **(21)** ~~(20)~~ The law enforcement agency that receives information
 23 under subsection ~~(19)~~ **(20)** shall enter the information or cause the
 24 information to be entered into the L.E.I.N.

25 **(22)** ~~(21)~~ Subject to subsection ~~(22)~~, **(23)**, a personal
 26 protection order is immediately enforceable anywhere in this state
 27 by any law enforcement agency that has received a true copy of the
 28 order, is shown a copy of it, or has verified its existence on the
 29 L.E.I.N.



1 **(23)** ~~(22)~~—If the individual restrained or enjoined by a
 2 personal protection order has not been served, a law enforcement
 3 agency or officer responding to a call alleging a violation of the
 4 personal protection order shall serve the individual restrained or
 5 enjoined with a true copy of the order or advise the individual
 6 restrained or enjoined of the existence of the personal protection
 7 order, the specific conduct enjoined, the penalties for violating
 8 the order, and where the individual restrained or enjoined may
 9 obtain a copy of the order. The law enforcement officer shall
 10 enforce the personal protection order and immediately enter or
 11 cause to be entered into the L.E.I.N. that the individual
 12 restrained or enjoined has actual notice of the personal protection
 13 order. The law enforcement officer also shall file a proof of
 14 service or proof of oral notice with the clerk of the court that
 15 issued the personal protection order. If the individual restrained
 16 or enjoined has not received notice of the personal protection
 17 order, the individual restrained or enjoined must be given an
 18 opportunity to comply with the personal protection order before the
 19 law enforcement officer makes a custodial arrest for violation of
 20 the personal protection order. Failure to immediately comply with
 21 the personal protection order is grounds for an immediate custodial
 22 arrest. This subsection does not preclude an arrest under section
 23 15 or 15a of chapter IV of the code of criminal procedure, 1927 PA
 24 175, MCL 764.15 and 764.15a, or a proceeding under section 14 of
 25 chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.14.

26 **(24)** ~~(23)~~—An individual 17 years of age or older who refuses
 27 or fails to comply with a personal protection order issued under
 28 this section is subject to the criminal contempt powers of the
 29 court and, if found guilty of criminal contempt, must be imprisoned



1 for not more than 93 days and may be fined not more than \$500.00.
 2 An individual less than 17 years of age who refuses or fails to
 3 comply with a personal protection order issued under this section
 4 is subject to the dispositional alternatives listed in section 18
 5 of chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL
 6 712A.18. The criminal penalty under this section may be imposed in
 7 addition to any penalty that may be imposed for any other criminal
 8 offense arising from the same conduct.

9 **(25)** ~~(24)~~—An individual who knowingly and intentionally makes
 10 a false statement to a court in support of ~~his or her~~ **the**
 11 **individual's** petition for a personal protection order is subject to
 12 the contempt powers of the court.

13 **(26)** ~~(25)~~—A personal protection order issued under this
 14 section is also enforceable under section 15b of chapter IV of the
 15 code of criminal procedure, 1927 PA 175, MCL 764.15b, and chapter
 16 17.

17 **(27)** ~~(26)~~—A personal protection order issued under this
 18 section may enjoin or restrain an individual from purchasing or
 19 possessing a firearm.

20 **(28)** ~~(27)~~—A court shall not issue a personal protection order
 21 that restrains or enjoins conduct described in subsection (1) or
 22 (3) if any of the following apply:

23 (a) The respondent is the unemancipated minor child of the
 24 petitioner.

25 (b) The petitioner is the unemancipated minor child of the
 26 respondent.

27 (c) The respondent is a minor child less than 10 years of age.

28 **(29)** ~~(28)~~—If the respondent is less than 18 years old,
 29 issuance of a personal protection order under this section is



1 subject to chapter XIIIA of the probate code of 1939, 1939 PA 288,
2 MCL 712A.1 to 712A.32.

3 (30) ~~(29)~~—A personal protection order issued before March 1,
4 1999 is not invalid on the ground that it does not comply with 1 or
5 more of the requirements added by 1998 PA 476.

6 (31) ~~(30)~~—A court shall not issue a personal protection order
7 under this section if the petitioner is a prisoner. If a personal
8 protection order is issued in violation of this subsection, a court
9 shall rescind the personal protection order upon notification and
10 verification that the petitioner is a prisoner.

11 (32) ~~(31)~~—As used in this section:

12 (a) "Convicted" means 1 of the following:

13 (i) The subject of a judgment of conviction or a probation
14 order entered in a court that has jurisdiction over criminal
15 offenses, including a tribal court or a military court.

16 (ii) Assigned to youthful trainee status under sections 11 to
17 15 of chapter II of the code of criminal procedure, 1927 PA 175,
18 MCL 762.11 to 762.15, if the individual's status of youthful
19 trainee is revoked and an adjudication of guilt is entered.

20 (iii) The subject of an order of disposition entered under
21 section 18 of chapter XIIIA of the probate code of 1939, 1939 PA
22 288, MCL 712A.18, that is open to the general public under section
23 28 of chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL
24 712A.28.

25 (iv) The subject of an order of disposition or other
26 adjudication in a juvenile matter in another state or country.

27 (b) "Federal law enforcement officer" means an officer or
28 agent employed by a law enforcement agency of the United States
29 government whose primary responsibility is the enforcement of laws



1 of the United States.

2 (c) "L.E.I.N." means the law enforcement information network
3 administered under the C.J.I.S. policy council act, 1974 PA 163,
4 MCL 28.211 to 28.215.

5 (d) "Personal protection order" means an injunctive order
6 issued by the family division of circuit court restraining or
7 enjoining conduct prohibited under subsection (1) or (3).

8 (e) "Prisoner" means a person subject to incarceration,
9 detention, or admission to a prison who is accused of, convicted
10 of, sentenced for, or adjudicated delinquent for violations of
11 federal, state, or local law or the terms and conditions of parole,
12 probation, pretrial release, or a diversionary program.

13 (f) "Sexual assault" means an act, attempted act, or
14 conspiracy to engage in an act of criminal conduct as defined in
15 section 520b, 520c, 520d, 520e, or 520g of the Michigan penal code,
16 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, and
17 750.520g, or an offense under a law of the United States, another
18 state, or a foreign country or tribal or military law that is
19 substantially similar to an offense listed in this subdivision.

20 **Sec. 2950d. (1) Except as provided in this section, a personal**
21 **protection order issued under section 2950 or 2950a must be served**
22 **personally; by registered or certified mail, return receipt**
23 **requested, delivery restricted to the addressee at the last known**
24 **address or addresses of the individual restrained or enjoined; or**
25 **by any other method allowed by the Michigan court rules.**

26 (2) If a law enforcement agency is serving a court document in
27 a proceeding for a personal protection order under section 2950 or
28 2950a or a foreign protection order as provided in subsection (5),
29 it must be served personally. If the first attempt at service is



1 not successful, no fewer than 2 additional attempts to serve the
2 order should be made within 10 calendar days after the first
3 attempt. If service cannot be completed within 10 calendar days
4 after the first attempt, the law enforcement agency shall do all of
5 the following:

6 (a) Within 48 hours, notify the petitioner that service has
7 not been successful. The petitioner shall provide information
8 sufficient to permit notification.

9 (b) Within 3 business days, complete and file a proof of
10 service form documenting each service attempt and stating the
11 reason it was not served.

12 (c) Continue to attempt to complete service unless otherwise
13 directed by the court. All attempts at service must be documented
14 and maintained by the law enforcement agency and made available to
15 the petitioner and the court on request.

16 (3) If the individual restrained or enjoined by a personal
17 protection order issued under section 2950 or 2950a is less than 18
18 years of age, the parent, guardian, or custodian of the individual
19 must also be served personally or by registered or certified mail,
20 return receipt requested, delivery restricted to the addressee at
21 the last known address or addresses of the parent, guardian, or
22 custodian.

23 (4) The law enforcement agency designated under section
24 2950(11) or 2950a(11), as applicable, shall, as soon as practicable
25 but not later than 72 hours after issuance, serve the personal
26 protection order as required under this section as provided in
27 section 2559.

28 (5) A foreign protection order, as that term is defined in
29 section 2950h, may be presented to any law enforcement agency



1 within whose jurisdiction the respondent resides. However, the
2 foreign protection order may be served in any manner allowed under
3 the Michigan court rules and by any law enforcement agency in this
4 state. A law enforcement agency that receives a foreign protection
5 order for service shall serve the order in compliance with this
6 section.

7 (6) If a new, amended, or extended personal protection order,
8 or an order terminating a personal protection order, is entered
9 after the original service under this section, the clerk of the
10 court shall provide true copies of the order to the parties, if
11 they are present, at the time the order is entered. A party may
12 acknowledge receipt of the order in writing, on the record, or in
13 any other manner allowed by the court rules. If a party fails or
14 refuses to acknowledge the receipt of a true copy of the order, the
15 clerk shall note in the case file that the party was served. If
16 delivery to a party is not possible at the time the order is
17 entered, the clerk shall mail true copies of the order to the party
18 by first-class mail to the address on record with the court and
19 shall file a proof of service. Service by mail is complete on
20 mailing.

21 (7) Subject to subsection (6), if the respondent is served
22 with a personal protection order under this section, any subsequent
23 document filed in the action may be served on the respondent by
24 first-class mail at the address provided by the respondent, except
25 for a motion to show cause or an order to appear on a show cause
26 motion.

27 Sec. 2950p. (1) The personal protection order service fund is
28 created in the state treasury.

29 (2) The state treasurer shall deposit money and other assets



1 received from state and federal appropriations, public or private
2 grants, or any other source in the fund. The state treasurer shall
3 direct the investment of money in the personal protection order
4 service fund and credit interest and earnings from the investments
5 to the fund.

6 (3) The department of state police is the administrator of the
7 personal protection order service fund for audits of the fund.

8 (4) The department of state police shall expend money from the
9 personal protection order service fund on appropriation, only for
10 the following:

11 (a) To provide for service by law enforcement agencies of
12 court documents in proceedings for personal protection orders under
13 sections 2950 and 2950a and foreign protection orders as provided
14 in section 2559, to assure compliance with section 40121 of the
15 violence against women act of 1994, 34 USC 10450.

16 (b) To pay the costs of administering the fund.

17 Enacting section 1. This amendatory act does not take effect
18 unless Senate Bill No. 611 or House Bill No. 5120 of the 103rd
19 Legislature is enacted into law.