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HOUSE BILL No. 6126

June 1, 2006, Introduced by Rep. Mortimer and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled

"The code of criminal procedure,"

by amending section 2 of chapter XI (MCL 771.2), as amended by 2002 PA 666.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XI

2 Sec. 2. (1) Except as provided in section 2a of this chapter,

3 if the defendant is convicted for an offense that is not a felony,

4 the probation period shall not exceed 2 years. Except as provided

5 in section 2a of this chapter, if the defendant is convicted of a

felony, the probation period shall not exceed -5- 10 years.

(2) The court shall by order, to be filed or entered in the cause as the court may direct by general rule or in each case, fix

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- 1 and determine the period and conditions of probation. The order is
- 2 part of the record in the cause. The court may amend the order in
- 3 form or substance at any time.
- 4 (3) A defendant who was placed on probation under section 1(4)
- 5 of this chapter prior to the effective date of the act that
- 6 amended this section BEFORE MARCH 1, 2003 is subject to the
- 7 conditions of probation specified in section 3 of this chapter,
- 8 including payment of a probation supervision fee as prescribed in
- 9 section 3c of this chapter, and to revocation for violation of
- 10 these conditions, but the probation period shall not be reduced
- 11 other than by a revocation that results in imprisonment or as
- 12 otherwise provided by law.
- 13 (4) If an individual is placed on probation for a listed
- 14 offense enumerated in section 2 of the sex offenders registration
- act, 1994 PA 295, MCL 28.722, the individual's probation officer
- 16 shall register the individual or accept the individual's
- 17 registration as provided in that act.
- 18 (5) Subsection (1) does not apply to a juvenile placed on
- 19 probation and committed under section 1(3) or (4) of chapter IX to
- 20 an institution or agency described in the youth rehabilitation
- 21 services act, 1974 PA 150, MCL 803.301 to 803.309.