

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

***** 600.4706.amended THIS AMENDED SECTION IS EFFECTIVE JANUARY 14, 2015 *****

600.4706.amended Return of personal property to owner; discharge of lien against real property or motor vehicle; time limitation.

Sec. 4706. (1) Except as otherwise provided by law, personal property seized under section 4703 shall be returned to the owner, or a lien filed against real property under section 4703 or against a motor vehicle under section 4705 shall be discharged, within 7 days after the occurrence of any of the following:

(a) A warrant is not issued against a person for the commission of a crime within 28 days after the property is seized or, if the property is real property, within 28 days after the lien is filed.

(b) All charges against the consenting legal owner relating to the commission of a crime are dismissed.

(c) The consenting legal owner charged with committing a crime is acquitted of the crime.

(d) In the case of multiple defendants, all persons charged with committing a crime are acquitted of the crime.

(e) Entry of a court order under this chapter for the return of the property or the discharge of the lien.

(2) Before the expiration of period of time prescribed under section (1)(a), the prosecuting attorney, attorney general, or the city or township attorney of the local unit of government where the property is seized or located may petition the court ex parte for not more than an additional 28 days to complete its investigation and issue charges or return the property. The court shall grant an extension under this subsection to the extent necessary upon determining that there is good cause shown for the extension.

History: Add. 1988, Act 104, Eff. June 1, 1988;—Am. 2014, Act 333, Eff. Jan. 14, 2015.

Compiler's note: In subsection (2), the reference to "section (1)(a)" evidently should be a reference to "subsection (1)(a)."