



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 845 (Substitute S-1 as reported)
Senate Bill 931 (as reported without amendment)
Senate Bill 932 (Substitute S-1 as reported)
Sponsor: Senator Goeff Hansen (S.B. 845)
Senator Rick Jones (S.B. 931 & 932)
Committee: Judiciary

CONTENT

Senate Bill 845 (S-1) would amend Chapter IV (Arrest) of the Code of Criminal Procedure to do the following:

- Authorize a judge or district court magistrate, rather than a "magistrate", to issue arrest warrants.
- Specify that a complaint for an arrest warrant made by means of electronic communication could be made from any location in Michigan.

(The Code defines "magistrate" as a judge of the district court or a judge of a municipal court. The term does not include a district court magistrate, although a district court magistrate may exercise the powers, jurisdiction, and duties of a magistrate if specifically provided in the Code, the Revised Judicature Act, or any other statute.)

Senate Bill 931 would amend Public Act 189 of 1966, which establishes search warrant procedures, to do the following:

- Refer to a judge or district court magistrate in a provision requiring a magistrate to issue a search warrant under certain circumstances.
- Allow a judge or district court magistrate to sign an electronically issued search warrant while he or she was at any location in Michigan.
- Allow a peace officer or prosecutor to obtain an order to suppress a search warrant affidavit from a judge or district court magistrate.
- Refer to a judge or district court magistrate, rather than a court magistrate, in provisions requiring an officer to file a tabulation of seized property and authorizing the oversight of the disposition of seized property.

Senate Bill 932 (S-1) would amend Chapter 85 (Magistrates) of the Revised Judicature Act to do the following:

- Authorize a district court magistrate to hear and preside over motions to set aside defaults or withdraw admissions.
- Grant judicial immunity to a district court magistrate for acts expressly authorized by the chief judge and by law.

MCL 764.1 (S.B. 845)
780.651 et al. (S.B. 931)
600.8512-600.8513 (S.B. 932)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 5-14-14

Fiscal Analyst: John Maxwell

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.