

SENATE BILL No. 80

February 24, 1987, Introduced by Senators SMITH, NICHOLS, WELBORN, CRUCE, FESSLER, BINSFELD, O'BRIEN, GAST, DILLINGHAM, CROSEY, GEO. HART, DI NELLO and ARTHURHULTZ and referred to the Committee on Judiciary.

A bill to amend section 3 of Act No. 189 of the Public Acts of 1966, entitled

"An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,"

being section 780.653 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 189 of the Public Acts of
2 1966, being section 780.653 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 3. The magistrate's finding of reasonable or probable
5 cause shall be based upon ~~all the facts~~ THE TOTALITY OF THE
6 CIRCUMSTANCES related within the affidavit made before him OR
7 HER. ~~The affidavit may be based upon reliable information~~
8 ~~supplied to the complainant from a credible person, named or~~
9 ~~unnamed, so long as the affidavit contains affirmative~~

~~1 allegations that the person spoke with personal knowledge of the~~
~~2 matters contained therein.~~