

HOUSE BILL No. 5834

May 13, 1992, Introduced by Rep. Strand and referred to the Committee on Judiciary.

A bill to amend chapter V of Act No. 175 of the Public Acts of 1927, entitled as amended

"The code of criminal procedure,"

as amended, being sections 765.1 to 765.31 of the Michigan Compiled Laws, by adding section 6b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Chapter V of Act No. 175 of the Public Acts of
2 1927, as amended, being sections 765.1 to 765.31 of the Michigan
3 Compiled Laws, is amended by adding section 6b to read as
4 follows:

CHAPTER V

6 SEC. 6B. (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE COURT
7 MAY ORDER, AS A CONDITION OF BAIL OR INSTEAD OF THE POSTING OF A
8 BOND, THAT THE ACCUSED ENTER A SUBSTANCE ABUSE TREATMENT PROGRAM

1 SELECTED BY THE COURT IF THE COURT FINDS, ON THE RECORD, PROBABLE
2 CAUSE TO BELIEVE ALL OF THE FOLLOWING:

3 (A) THE ACCUSED IS ENGAGED IN SUBSTANCE ABUSE AS DEFINED IN
4 SECTION 6107 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE PUBLIC
5 ACTS OF 1978, BEING SECTION 333.6107 OF THE MICHIGAN COMPILED
6 LAWS.

7 (B) THE ACCUSED'S CONTINUED SUBSTANCE ABUSE COULD INCREASE
8 THE LIKELIHOOD THAT THE ACCUSED WILL NOT APPEAR AT TRIAL.

9 (2) TESTIMONY OF THE ACCUSED TAKEN UNDER THIS SECTION IS NOT
10 ADMISSIBLE IN ANY OTHER COURT PROCEEDING.