



# SENATE BILL No. 1005

February 3, 1994 Introduced by Senators HOFFMAN and  
DUNASKISS and referred to the Committee on Judiciary

A bill to amend section 2 of chapter XI of Act No 175 of  
the Public Acts of 1927, entitled as amended

"The code of criminal procedure,"

as amended by Act No 185 of the Public Acts of 1993 being sec-  
tion 771 2 of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 2 of chapter XI of Act No 175 of the  
2 Public Acts of 1927, as amended by Act No 185 of the Public Acts  
3 of 1993 being section 771 2 of the Michigan Compiled Laws is  
4 amended to read as follows

### 5 CHAPTER XI

6 Sec 2 (1) Except as provided in section 2a of this chap-  
7 ter, if the defendant is convicted for an offense that is not a  
8 felony, the period of probation shall not exceed 2 years Except  
9 as provided in section 2a of this chapter if the defendant is

1 convicted of a felony that is not a major controlled substance  
2 offense, the period of probation shall not exceed ~~5~~ 10 years

3       (2) The court shall by order, to be filed or entered in the  
4 cause as the court may direct by general rule or in each case,  
5 fix and determine the period and conditions of probation. The  
6 order, whether it is filed or entered, shall be considered as  
7 part of the record in the cause and ~~shall be at all times alter-~~  
8 ~~able and amendable, both in form and in substance, in the court's~~  
9 ~~discretion~~ MAY AT ANY TIME, IN THE COURT'S DISCRETION BE  
10 ALTERED OR AMENDED

11       (3) A defendant who is placed on probation pursuant to sec-  
12 tion 1(4) of this chapter shall be placed on probation for life.  
13 That sentence shall be made subject to conditions of probation  
14 specified in section 3 of this chapter, including the payment of  
15 a probation supervision fee as prescribed in section 3c of this  
16 chapter, and to revocation for violation of those conditions but  
17 the period of probation shall not be reduced other than by a  
18 revocation that results in imprisonment.

19       (4) Subsections (1) and (3) do not apply to a juvenile  
20 placed on probation and committed under section 1(3) or (4) of  
21 chapter IX to a state institution or agency described in the  
22 youth rehabilitation services act, Act No. 150 of the Public Acts  
23 of 1974, being sections 803.301 to 803.309 of the Michigan  
24 Compiled Laws.