

Legislative Analysis



SEARCH WARRANT FOR A PERSON

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Senate Bill 188

Sponsor: Sen. Alan L. Cropsey

House Committee: Judiciary

Senate Committee: Judiciary

Complete to 3-30-09

A SUMMARY OF SENATE BILL 188 AS PASSED BY THE SENATE 3-10-09

A court can issue a search warrant if there is probable cause for the search based on any property or other thing meeting certain criteria; for example, if it was stolen or used in the commission of a crime. The search warrant allows law enforcement officers to enter the house, building, or place named in the warrant and search for and seize those items named in the warrant. In regards to a person, a search warrant allows officers to search for a body or a person who may be the victim of a crime.

Senate Bill 188 would amend Public Act 189 of 1966 (MCL 780.651, 780.652, and 780.654) to also allow a warrant to be issued to search for and seize a person who is the subject of either an arrest warrant or a bench warrant issued in a criminal case. The bill would also make numerous revisions of an editorial nature.

Senate Bill 188 is identical to House Bill 4096, which passed the House earlier this year. For a discussion on the impact of the legislation, see the House Fiscal Agency's analysis of House Bill 4096 dated 2-23-09.

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.