



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 381 (as introduced 5-17-17)
Sponsor: Senator Rick Jones
Committee: Judiciary

Date Completed: 5-22-17

CONTENT

The bill would amend the Code of Criminal Procedure to allow the court to send a required notice of a person's failure to appear by first-class mail to a surety's last known business address.

The Code requires a court clerk to enter a default on the record if the default is made in any recognizance in a court of record (e.g., a defendant who has posted bail later fails to appear in court). After the default is entered, the court must give each surety (a person who pledges money to guarantee the appearance of the defendant in court) notice within seven days after the date of the failure to appear. The notice must be served on each surety in person or left at the surety's last known business address. Under the bill, the notice instead could be mailed by first-class mail to the surety's last known business address.

The bill would take effect 90 days after its enactment.

MCL 765.28

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on the State and could have a small positive fiscal impact on local government. The changes in the bill would allow a court to serve notice of default by first class mail instead of serving the notice in person or leaving it at the surety's last known business address. This change could result in fewer administrative costs to local courts.

Fiscal Analyst: Ryan Bergan

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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.