

# HOUSE BILL No. 5177

September 26, 1991, Introduced by Rebs. Gubow, Perry Bullard, DeMars, Dobronski, Nye, Sparks, Willis Bullard, Power, Kosteva and Profit and referred to the Committee on Judiciary.

A bill to amend section 1e of chapter IV of Act No. 175 of the Public Acts of 1927, entitled as amended "The code of criminal procedure," as added by Act No. 506 of the Public Acts of 1980, being section 764.1e of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1e of chapter IV of Act No. 175 of the  
2 Public Acts of 1927, as added by Act No. 506 of the Public Acts  
3 of 1980, being section 764.1e of the Michigan Compiled Laws, is  
4 amended to read as follows:

### CHAPTER IV

5  
6 Sec. 1e. (1) For purposes of sections 1a to 1d of this  
7 chapter, a complaint signed by a peace officer shall be treated  
8 as made under oath if the offense alleged in the complaint is a  
9 minor offense ~~which was~~ committed in the signing officer's

1 presence or ~~was~~ committed under circumstances permitting the  
 2 officer's issuance of a citation under section 625 or 728(8) of  
 3 Act No. 300 of the Public Acts of 1949, as amended, being sec-  
 4 tions 257.625 and 257.728 of the Michigan Compiled Laws, OR UNDER  
 5 SECTION 73 OR 161(2) OF THE MARINE SAFETY ACT, ACT NO. 303 OF THE  
 6 PUBLIC ACTS OF 1967, BEING SECTIONS 281.1073 AND 281.1161(2) OF  
 7 THE MICHIGAN COMPILED LAWS, and if the complaint contains the  
 8 following statement immediately above the date and signature of  
 9 the officer:

10 "I declare under the penalties of perjury that the state-  
 11 ments above are true to the best of my information, knowledge,  
 12 and belief."

13 (2) A peace officer who ~~, knowing the statement is false,~~  
 14 KNOWINGLY makes a materially false statement in a complaint  
 15 signed pursuant to subsection (1) is ~~guilty~~ EACH OF THE  
 16 FOLLOWING:

17 (A) GUILTY of perjury, a felony punishable by imprisonment  
 18 for not more than 15 years. ~~, and in addition, is in~~

19 (B) IN contempt of court.

20 Section 2. This amendatory act shall not take effect unless  
 21 all of the following bills of the 86th Legislature are enacted  
 22 into law:

23 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
 24 (request no. 03785'91).

25 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
 26 (request no. 03785'91a).