

# HOUSE BILL No. 5909

June 9, 1992, Introduced by Reps. Martin, Bartnik, Porreca, Jamian, McBryde, Hoffman, Johnson, Strand, Middaugh, Dolan, Jaye, Rocca, Gnodtke, Bodem, London, Bender, Horton, Nye, Oxender, Brackenridge, Goss, Middleton, Dobb, O'Connor, Bobier, Gernaat, Gilmer, Shugars, Fitzgerald, Bankes, DeLange, Willis Bullard, Van Singel, Munsell, Dalman and Walberg and referred to the Committee on Judiciary.

A bill to amend chapter VII of Act No. 175 of the Public Acts of 1927, entitled as amended  
"The code of criminal procedure,"  
as amended, being sections 767.1 to 767.96 of the Michigan Compiled Laws, by adding section 94a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Chapter VII of Act No. 175 of the Public Acts of  
2 1927, as amended, being sections 767.1 to 767.96 of the Michigan  
3 Compiled Laws, is amended by adding section 94a to read as  
4 follows:

### CHAPTER VII

5  
6 SEC. 94A. EXCEPT AS OTHERWISE PROVIDED BY SUPREME COURT  
7 RULE, THE DEFENDANT OR HIS OR HER ATTORNEY SHALL DISCLOSE TO THE  
8 PROSECUTING ATTORNEY UPON REQUEST THE FOLLOWING MATERIAL OR

1 INFORMATION WITHIN THE POSSESSION OR CONTROL OF THE DEFENDANT OR  
2 HIS OR HER ATTORNEY:

3 (A) THE NATURE OF ANY DEFENSE FOR WHICH THE DEFENDANT  
4 INTENDS TO OFFER EVIDENCE AT TRIAL.

5 (B) THE NAME AND LAST KNOWN ADDRESS OF EACH WITNESS OTHER  
6 THAN THE DEFENDANT WHOM THE DEFENDANT INTENDS TO CALL AT TRIAL  
7 TOGETHER WITH ANY WRITTEN OR RECORDED STATEMENT OR MEMORANDUM  
8 THAT SUMMARIZES ANY ORAL STATEMENT MADE BY THAT WITNESS.

9 (C) ANY REPORT OR STATEMENT BY AN EXPERT CONCERNING A MENTAL  
10 OR PHYSICAL EXAMINATION, TEST, EXPERIMENT, OR COMPARISON THAT THE  
11 DEFENDANT INTENDS TO OFFER IN EVIDENCE, OR THAT WAS PREPARED BY A  
12 PERSON WHOM THE DEFENDANT INTENDS TO CALL AS A WITNESS, IF THE  
13 REPORT OR STATEMENT RELATES TO THE TESTIMONY TO BE OFFERED.

14 (D) ANY BOOK, PAPER, DOCUMENT, PHOTOGRAPH, OR TANGIBLE  
15 OBJECT THAT THE DEFENDANT INTENDS TO OFFER IN EVIDENCE OR THAT  
16 RELATES TO THE TESTIMONY OF A WITNESS WHOM THE DEFENDANT INTENDS  
17 TO CALL.