

Act No. 287
Public Acts of 1993
Approved by the Governor
December 23, 1993
Filed with the Secretary of State
December 28, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Reps. Goschka, Kukuk, Hoffman, Llewellyn, Jamian, Lowe, London, Hill, Hammerstrom, Weeks, Horton, Munsell, Rocca, Galloway, Bobier, Whyman, Bullard, Bodem, Gernaat, Walberg, McManus, Dalman, Dolan, Nye, Porreca, Jersevic, Brackenridge, Gnodtke, Bender, McBryde, Middaugh, Sikkema, Cropsey, Martin, Gilmer, Shugars, Bankes, Stille, Fitzgerald and Middleton

ENROLLED HOUSE BILL No. 4225

AN ACT to amend section 4 of chapter VI of Act No. 175 of the Public Acts of 1927, entitled as amended "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," as amended by Act No. 64 of the Public Acts of 1988, being section 766.4 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 4 of chapter VI of Act No. 175 of the Public Acts of 1927, as amended by Act No. 64 of the Public Acts of 1988, being section 766.4 of the Michigan Compiled Laws, is amended to read as follows:

CHAPTER VI

Sec. 4. Except as provided in section 4 of chapter XIIA of Act No. 288 of the Public Acts of 1939, being section 712A.4 of the Michigan Compiled Laws, the magistrate before whom any person is brought on a charge of having committed a felony shall set a day for a preliminary examination not exceeding 12 days after that time. At the preliminary examination, a magistrate shall examine the complainant and the witnesses in support of the prosecution, on oath and, except as provided in section 2167 of the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961, being section 600.2167 of the Michigan Compiled Laws, in the presence of the accused, in regard to the offense charged and in regard to any other matters connected with the charge that the magistrate considers pertinent.

Section 2. This amendatory act shall take effect March 1, 1994.

Section 3. This amendatory act shall not take effect unless House Bill No. 4226 of the 87th Legislature is enacted into law.

This act is ordered to take immediate effect.

Co-Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.