



HOUSE BILL No. 5756

September 14 1994 Introduced by Rep Profit and referred to the Committee on Judiciary

A bill to amend section 4 of chapter VI of Act No 175 of the Public Acts of 1927, entitled as amended

'The code of criminal procedure,'

as amended by Act No 287 of the Public Acts of 1993, being section 766 4 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 4 of chapter VI of Act No 175 of the
2 Public Acts of 1927 as amended by Act No 287 of the Public Acts
3 of 1993, being section 766 4 of the Michigan Compiled Laws is
4 amended to read as follows

5 CHAPTER VI

6 Sec 4 (1) Except as provided in section 4 of chapter XIIA
7 of Act No 288 of the Public Acts of 1939, being section 712A 4
8 of the Michigan Compiled Laws, the magistrate before whom any
9 person is brought on a charge of having committed a felony shall

1 set a day for a preliminary examination not exceeding 12 days
2 after that time At the preliminary examination, a magistrate
3 shall examine the complainant and the witnesses in support of the
4 prosecution, on oath and, except as provided in section 2167 of
5 the revised judicature act of 1961, Act No 236 of the Public
6 Acts of 1961, being section 600 2167 of the Michigan Compiled
7 Laws, in the presence of the accused, in regard to the offense
8 charged and in regard to any other matters connected with the
9 charge that the magistrate considers pertinent

10 (2) AS USED IN THIS SECTION ONLY, "FELONY" DOES NOT INCLUDE
11 ANY OFFENSE EXPRESSLY DESIGNATED AS A MISDEMEANOR REGARDLESS OF
12 THE LENGTH OF SENTENCE THAT MAY BE IMPOSED

13 Section 2 This amendatory act shall not take effect unless
14 Senate Bill No _____ or House Bill No 5757 (request
15 no 05267'93) of the 87th Legislature is enacted into law