



# HOUSE BILL No. 5903

November 10 1994 Introduced by Reps Olshove Yokich Barns Rivers Byrum  
Varga Harder Freeman and Baade and referred to the Committee on Judiciary

A bill to amend section 2163 of Act No 236 of the Public  
Acts of 1961 entitled as amended

Revised judicature act of 1961,  
being section 600 2163 of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 2163 of Act No 236 of the Public Acts  
2 of 1961 being section 600 2163 of the Michigan Compiled Laws is  
3 amended to read as follows

4 Sec 2163 ~~Whenever a child under the age of 10 years is~~  
5 ~~produced as a witness, the court shall by an examination made by~~  
6 ~~itself publicly, or separate and apart, ascertain to its own sat-~~  
7 ~~isfaction whether such child has sufficient intelligence and~~  
8 ~~sense of obligation to tell the truth to be safely admitted to~~  
9 ~~testify and in such case such testimony may be given on a~~  
10 ~~promise to tell the truth instead of upon oath or statutory~~

~~1 affirmation and shall be given such credit as to the court or~~  
~~2 jury, if there be a jury, it shall appear to deserve—~~ THE COURT  
3 SHALL REQUIRE A CHILD LESS THAN 10 YLARS OLD TO PROMISE TO TELL  
4 IHE TRUTH BEFORE TESTIFYING OR INSTEAD REQUIRE THE CHILD TO  
5 TAKE AN OATH OR MAKE AN AFFIRMATION OR DECLARATION