



HOUSE BILL No. 4430

February 16, 1995, Introduced by Reps. Olshove, DeHart, DeMars and Brewer and referred to the Committee on Judiciary and Civil Rights.

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 YEARS OLD TO PROMISE TO TELL
4 THE TRUTH BEFORE TESTIFYING, OR INSTEAD, REQUIRE THE CHILD TO
5 TAKE AN OATH OR MAKE AN AFFIRMATION OR DECLARATION.