

SPECIAL PROSECUTING ATTORNEY

**Senate Bill 115 with House committee
amendments
Sponsor: Sen. Bill Schuette**

Addendum to SFA Analysis (12-4-02)

**Senate Committee: Judiciary
House Committee: Criminal Justice**

ADDENDUM TO SENATE FISCAL AGENCY ANALYSIS OF SB 115 DATED 9-5-01:

HOUSE COMMITTEE ACTION:

The House Criminal Justice Committee adopted two amendments. The first amendment would eliminate a provision added by the Senate that would have required a complaint authorized by a special prosecuting attorney to also be authorized by the attorney general or his or her representative before presentment of the complaint to a court for the issuance of an arrest warrant.

The second amendment would clarify an existing provision that specifies that a special prosecutor is vested with all of the powers of the prosecuting attorney for the purpose of the appointment and during the period of appointment. The committee amendment would clarify that this authority included the power to investigate and initiate change.

POSITIONS:

The Office of the Governor supports the bill. (12-3-02)

The Prosecuting Attorneys Association of Michigan (PAAM) supports the bill. (12-3-02)

Senate Bill 115 (12-4-02)

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.