



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 681 (as reported with amendment)
Sponsor: Senator Deborah Cherry
Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to allow a magistrate, on motion of either party, to permit an expert witness's testimony in a preliminary examination to be conducted by means of telephonic, voice, or video conferencing.

(Under the Code, "magistrate" means a judge of the district court or a judge of a municipal court, but does not include a district court magistrate, although a district court magistrate may exercise the powers, jurisdiction, and duties of a magistrate if specifically provided by law. The Code states that this definition does not limit the power of a Supreme Court Justice, a circuit judge, or a judge of a court of record having jurisdiction of criminal cases, or deprive him or her of the power to exercise the authority of a magistrate.)

Proposed MCL 766.11a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on the State and an indeterminate fiscal impact on local government. To the extent that it would create court efficiencies, the bill could create savings for local units of government.

Date Completed: 12-4-03

Fiscal Analyst: Bethany Wicksall