

# SENATE BILL No. 301

April 10, 2013, Introduced by Senator CASWELL and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 16 of chapter XV (MCL 775.16), as amended by  
1980 PA 506.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

CHAPTER XV

Sec. 16. When a person charged with having committed a ~~felony~~  
**CRIME** appears before a magistrate without counsel, and ~~who has not~~  
~~waived examination on the charge upon which the person appears,~~ the  
person shall be advised of his or her right to have counsel  
appointed. ~~for the examination.~~ If the person states that he or she  
is unable to procure counsel, the magistrate shall ~~notify the chief~~  
~~judge of the circuit court in the judicial district in which the~~  
~~offense is alleged to have occurred, or the chief judge of the~~  
~~recorder's court of the city of Detroit if the offense is alleged~~

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Senate Bill No. 301 as amended June 20, 2013

1 ~~to have occurred in the city of Detroit. Upon proper showing, the~~  
2 ~~chief judge shall appoint or direct the magistrate to appoint an~~  
3 ~~attorney to conduct the accused's examination and to conduct the~~  
4 ~~accused's defense. The attorney appointed by the court shall be~~  
5 ~~entitled to receive from the county treasurer, on the certificate~~  
6 ~~of the chief judge that the services have been rendered, the amount~~  
7 ~~which the chief judge considers to be reasonable compensation for~~  
8 ~~the services performed.~~**APPOINT COUNSEL, IF THE PERSON IS ELIGIBLE**  
9 **FOR APPOINTED COUNSEL UNDER THE MICHIGAN INDIGENT DEFENSE**  
10 **COMMISSION ACT.**

11 Enacting section 1. This amendatory act does not take effect  
12 unless [[House Bill No. 4529](#)]

13 of the 97th Legislature is enacted into law.