

HOUSE BILL No. 4530

April 10, 2013, Introduced by Reps. McMillin, Lipton, Heise, Lyons, Haveman, Yonker, Muxlow, Walsh, Callton, Cavanagh, Roberts, Townsend, Darany, Irwin, Singh, Howrylak, Somerville, Dillon, Hovey-Wright, Brown, Ananich, Hobbs, Durhal, Switalski and Oakes and referred to the Committee on Criminal Justice.

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~~

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

Enacting section 1. This amendatory act does not take effect
unless Senate Bill No. ____ or House Bill No. 4529 (request no.
00723'13) of the 97th Legislature is enacted into law.