SENATE BILL NO. 791

February 13, 2020, Introduced by Senator LUCIDO and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure,"

by amending section 1 of chapter VIII (MCL 768.1).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1	CHAPTER VIII
2	Sec. 1. (1) The people of this state and persons charged with
3	${f a}$ crime are entitled to and ${f shall}$ ${f must}$ have a speedy trial and
4	determination of all prosecutions. and it is hereby made It is the
5	duty of all public officers having duties to perform in $\frac{1}{2}$
6	criminal case $_{ au }$ to bring $_{ ext{such}}$ the case to a final determination

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- 1 without delay except as may be necessary to secure to the accused a
- 2 fair and impartial trial.
- 3 (2) Subject to the tolling provisions provided for in MCR
- 4 6.004(C)(1) to (6) or any successor rule, all of the following
- 5 apply to all criminal cases:
- 6 (a) If a person is in jail awaiting trial for a misdemeanor
- 7 violation of the laws of this state, or a political subdivision of
- 8 this state, the person must be brought to trial not more than 7
- 9 days after he or she is taken into custody.
- 10 (b) If a person is in jail awaiting trial for a felony
- 11 violation of the laws of this state, and is not to be released
- 12 within 7 days of being taken into custody, the person must be
- 13 brought to trial not more than 90 days after he or she is taken
- 14 into custody.
- 15 (c) A person awaiting trial for a misdemeanor violation of the
- 16 laws of this state, or a political subdivision of this state, who
- 17 is not in custody may assert by motion his or her right to a speedy
- 18 trial at any time. If a motion is filed under this subdivision, the
- 19 person must be brought to trial not more than 90 days after the
- 20 filing of the motion.
- 21 (d) A person awaiting trial for a felony violation of the laws
- 22 of this state who is not in custody may assert by motion his or her
- 23 right to a speedy trial at any time. If a motion is filed under
- 24 this subdivision, the person must be brought to trial not more than
- 25 180 days after the filing of the motion.