

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

764.1e Complaint signed by peace officer; statement; making materially false statement in complaint as perjury; penalty; contempt of court.

Sec. 1e. (1) For purposes of sections 1a to 1d of this chapter, a complaint signed by a peace officer shall be treated as made under oath if the offense alleged in the complaint is a misdemeanor or ordinance violation for which the maximum permissible penalty does not exceed 93 days in jail or a fine, or both, that was committed in the signing officer's presence or that was committed under circumstances permitting the officer's issuance of a citation under section 625a or 728(8) of the Michigan vehicle code, 1949 PA 300, MCL 257.625a and 257.728, and if the complaint contains the following statement immediately above the date and signature of the officer:

"I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief."

(2) A peace officer who, knowing the statement is false, makes a materially false statement in a complaint signed under subsection (1) is guilty of perjury, a felony punishable by imprisonment for not more than 15 years, and in addition, is in contempt of court.

History: Add. 1980, Act 506, Imd. Eff. Jan. 22, 1981;—Am. 1999, Act 76, Eff. Oct. 1, 1999.