

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

769.5 Alternative or combined penalties; power of court.

Sec. 5. (1) If a statute provides that an offense is punishable by imprisonment and a fine, the court may impose imprisonment without the fine or the fine without imprisonment.

(2) If a statute provides that an offense is punishable by fine or imprisonment, the court may impose both the fine and imprisonment in its discretion.

History: 1927, Act 175, Eff. Sept. 5, 1927;—CL 1929, 17333;—CL 1948, 769.5;—Am. 2015, Act 216, Eff. Mar. 14, 2016.

Former law: See Act 115 of 1839; and Sec. 4 of Ch. 163 of R.S. 1846, being CL 1857, § 6103; CL 1871, § 7987; How., § 9603; CL 1897, § 11973; CL 1915, § 15846.