

SENATE BILL No. 208

February 14, 2001, Introduced by Senator JAYE and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 4b to chapter IX.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER IX

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SEC. 4B. IF, AT THE PRELIMINARY EXAMINATION OF A DEFENDANT WHO IS CHARGED WITH A FELONY THAT IS AN ASSAULTIVE CRIME, THE COURT FINDS PROBABLE CAUSE TO BELIEVE THAT THE OFFENSE CHARGED WAS COMMITTED BY THE DEFENDANT AND THAT THE VICTIM OF THE OFFENSE IS EITHER A MINOR 14 YEARS OF AGE OR LESS OR AN INDIVIDUAL 60 YEARS OF AGE OR OLDER, THE COURT SHALL NOT DO EITHER OF THE FOLLOWING:

(A) DISMISS THE CHARGE AGAINST THE DEFENDANT ON THE MOTION OF THE PROSECUTING ATTORNEY UNLESS THE DISMISSAL IS WITH PREJUDICE.

1 (B) ACCEPT A PLEA OF GUILTY, GUILTY BUT MENTALLY ILL, OR
2 NOLO CONTENDERE TO ANY OTHER VIOLATION.