

SENATE BILL No. 727

October 5, 2011, Introduced by Senators BOOHER, PAPPAGEORGE and JONES and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 18 of chapter XVI (MCL 776.18).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVI

Sec. 18. The prosecuting attorney may ~~, under the direction of~~
~~the court,~~ procure ~~such~~ **THE** assistance in the trial of any person
charged with a felony as he ~~may deem~~ **OR SHE CONSIDERS** necessary.
~~for the trial thereof, and the prosecuting attorney may, under the~~
~~direction of the court, in case of disability of the prosecuting~~
~~attorney,~~ **THE PROSECUTING ATTORNEY MAY** appoint an assistant to
perform his **OR HER** duties during **A PERIOD WHEN** the ~~disability of~~
~~the prosecuting attorney, and such~~ **PROSECUTING ATTORNEY IS UNABLE**

1 TO PERFORM THOSE DUTIES. AN assistant APPOINTED UNDER THIS SECTION
 2 shall be allowed ~~such~~ PAID reasonable compensation as DETERMINED BY
 3 the board of supervisors or the board of county auditors, in
 4 ~~counties having county auditors shall determine,~~ AS APPLICABLE, for
 5 ~~his~~ THOSE services. ~~to be paid by the county treasurer upon~~
 6 ~~presenting to said board the certificate of the circuit judge of~~
 7 ~~the county for which such services were performed, certifying to~~
 8 ~~the services rendered by such assistant: Provided, That no~~ NO
 9 ~~person or attorney~~ shall be employed or appointed as assistant
 10 PROSECUTOR who is interested as AN attorney or otherwise in ~~any~~ A
 11 case involving the same facts or circumstances involved in ~~the~~
 12 ~~eases~~ A CASE to be conducted or tried by ~~said~~ THE assistant, ~~or~~
 13 PROSECUTOR or who has received any compensation from any person ~~or~~
 14 ~~persons who are interested in such~~ WITH AN INTEREST IN THOSE cases.

15 Enacting section 1. This amendatory act does not take effect
 16 unless Senate Bill No. 728

17 of the 96th Legislature is enacted into law.