

### SENATE JOINT RESOLUTION O

November 13, 1997, Introduced by Senators GOUGEON, STILLE, CISKY, STEIL, GEAKE, BOUCHARD, SCHUETTE, ROGERS, SHUGARS, BENNETT, SCHWARZ, EMMONS, DINGELL, KOIVISTO, BULLARD, MILLER, DE GROW and NORTH and referred to the Committee on Judiciary.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 46 of article IV, to provide for the death penalty in certain circumstances.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for the death penalty in certain circumstances, is proposed, agreed to, and submitted to the people of the state:

#### ARTICLE IV

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2       Sec. 46. No law shall be enacted providing for the penalty  
3 of death EXCEPT FOR AN INSTANCE OF BOTH CRIMINAL SEXUAL CONDUCT  
4 INVOLVING SEXUAL PENETRATION AND MURDER, WHERE THE VICTIM OF THE  
5 CRIMINAL SEXUAL CONDUCT AND MURDER IS LESS THAN 16 YEARS OF AGE.  
6 THE LEGISLATURE SHALL PROVIDE BY LAW FOR THE IMPLEMENTATION OF  
7 THIS SECTION.

1        Resolved further, That the foregoing amendment shall be  
2 submitted to the people of the state at the next general election  
3 in the manner provided by law.