

SUBSTITUTE FOR
HOUSE BILL NO. 5153

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 27 to chapter VII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8
9

CHAPTER VII

SEC. 27. (1) AN INDIVIDUAL WHO USES FORCE IN COMPLIANCE WITH
THE SELF-DEFENSE ACT, AND WHO IS NOT ENGAGED IN THE COMMISSION OF A
CRIME AT THE TIME HE OR SHE USED THAT FORCE, IS IMMUNE FROM
CRIMINAL PROSECUTION FOR THE USE OF THAT FORCE.

(2) IF A PROSECUTOR BELIEVES THAT A PERSON USED FORCE THAT IS
UNJUSTIFIED UNDER THE SELF-DEFENSE ACT, THE PROSECUTOR MAY CHARGE
THE PERSON WITH A CRIME ARISING FROM THAT USE OF FORCE AND SHALL
PRESENT EVIDENCE TO THE MAGISTRATE AT THE TIME OF WARRANT ISSUANCE

1 ESTABLISHING PROBABLE CAUSE TO BELIEVE THAT THE PERSON COMMITTED
2 THE CRIME CHARGED AND THAT THE PERSON'S ACTIONS WERE NOT JUSTIFIED
3 UNDER THE SELF-DEFENSE ACT.

4 Enacting section 1. This amendatory act takes effect October
5 1, 2006.

6 Enacting section 2. This amendatory act does not take effect
7 unless all of the following bills of the 93rd Legislature are
8 enacted into law:

9 (a) House Bill No. 5142.

10 (b) House Bill No. 5143.

11 (c) House Bill No. 5548.