

SENATE SUBSTITUTE FOR

HOUSE BILL NO. 5153

(As amended, June 7, 2006)

A bill to exempt an individual who uses deadly force or force other than deadly force from criminal prosecution under certain circumstances; to establish certain procedures; and to prescribe the duties of certain public officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. (1) An individual who uses deadly force or force other
2 than deadly force in compliance with section 2 of the <<
3 >> self-defense act and who has not or is not engaged in the
4 commission of a crime at the time he or she uses that deadly force
5 or force other than deadly force commits no crime in using that
6 deadly force or force other than deadly force.
7 (2) If a prosecutor believes that an individual used deadly

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1 force or force other than deadly force that is unjustified under
2 section 2 of the << >> self-defense act, the prosecutor
3 may charge the individual with a crime arising from that use of
4 deadly force or force other than deadly force and shall present
5 evidence to the judge or magistrate at the time of warrant
6 issuance, at the time of any preliminary examination, and at the
7 time of any trial establishing that the individual's actions were
8 not justified under section 2 of the << >> self-defense
9 act.

10 Enacting section 1. This act takes effect October 1, 2006.

11 Enacting section 2. This act does not take effect unless all
12 of the following bills of the 93rd Legislature are enacted into
13 law:

14 (a) Senate Bill No. 1046.

15 (b) Senate Bill No. 1185.

16 (c) House Bill No. 5142.

17 (d) House Bill No. 5143.

18 (e) House Bill No. 5548.