

Act No. 72  
Public Acts of 2012  
Approved by the Governor  
April 5, 2012  
Filed with the Secretary of State  
April 6, 2012  
EFFECTIVE DATE: April 6, 2012

**STATE OF MICHIGAN  
96TH LEGISLATURE  
REGULAR SESSION OF 2012**

Introduced by Senators Booher, Pappageorge and Jones

# ENROLLED SENATE BILL No. 727

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," 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 procure the assistance in the trial of any person charged with a felony as he or she considers necessary. The prosecuting attorney may appoint an assistant to perform his or her duties during a period when the prosecuting attorney is unable to perform those duties. An assistant appointed under this section shall be paid reasonable compensation as determined by the board of supervisors or the board of county auditors, as applicable, for those services. No person shall be employed or appointed as assistant prosecutor who is interested as an attorney or otherwise in a case involving the same facts or circumstances involved in a case to be conducted or tried by the assistant prosecutor or who has received any compensation from any person with an interest in those cases.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 728 of the 96th Legislature is enacted into law.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Gay E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor

**Compiler's note:** Senate Bill No. 728, referred to in enacting section 1, was filed with the Secretary of State April 6, 2012, and became 2012 PA 73, Imd. Eff. Apr. 6, 2012.