

SENATE BILL No. 949

May 3, 2016, Introduced by Senators PROOS, JONES, HORN, SHIRKEY, GREGORY, COLBECK, WARREN, BRANDENBURG, GREEN, BOOHER, NOFS and KNOLLENBERG and referred to the Committee on Michigan Competitiveness.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 1086.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1086. (1) THE CIRCUIT COURT IN ANY JUDICIAL CIRCUIT MAY
2 ADOPT OR INSTITUTE A SWIFT AND SURE SANCTIONS COURT, BY STATUTE OR
3 COURT RULE.

4 (2) A SWIFT AND SURE SANCTIONS COURT SHALL CARRY OUT THE
5 PURPOSES OF THE SWIFT AND SURE SANCTIONS ACT, CHAPTER XIA OF THE
6 CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 771A.1 TO 771A.8.

7 (3) A COURT THAT HAS ADOPTED A SWIFT AND SURE SANCTIONS COURT
8 MAY ACCEPT PARTICIPANTS FROM ANY OTHER JURISDICTION IN THIS STATE
9 BASED UPON EITHER THE RESIDENCE OF THE PARTICIPANT IN THE RECEIVING
10 JURISDICTION OR THE UNAVAILABILITY OF A SWIFT AND SURE SANCTIONS

1 COURT IN THE JURISDICTION WHERE THE PARTICIPANT IS CHARGED. THE
2 TRANSFER IS NOT VALID UNLESS IT IS AGREED TO BY ALL OF THE
3 FOLLOWING:

4 (A) THE DEFENDANT OR RESPONDENT.

5 (B) THE ATTORNEY REPRESENTING THE DEFENDANT OR RESPONDENT.

6 (C) THE JUDGE OF THE TRANSFERRING COURT AND THE PROSECUTOR OF
7 THE CASE.

8 (D) THE JUDGE OF THE RECEIVING SWIFT AND SURE SANCTIONS COURT
9 AND THE PROSECUTOR OF A COURT FUNDING UNIT OF THE SWIFT AND SURE
10 SANCTIONS COURT.

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.