

SENATE BILL No. 595

November 7, 1991, Introduced by Senator CISKY and referred to the Committee on Judiciary.

A bill to amend section 7b of chapter VIII of Act No. 175 of the Public Acts of 1927, entitled as amended "The code of criminal procedure," as amended by Act No. 31 of the Public Acts of 1988, being section 768.7b of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 7b of chapter VIII of Act No. 175 of the
2 Public Acts of 1927, as amended by Act No. 31 of the Public Acts
3 of 1988, being section 768.7b of the Michigan Compiled Laws, is
4 amended to read as follows:

5 CHAPTER VIII

6 Sec. 7b. ~~-(1)-~~ Beginning April 1, 1988, ~~and through~~
7 ~~December 31, 1991,~~ if a person who has been charged with a
8 felony, pending the disposition of the charge, commits a
9 subsequent offense that is a felony, upon conviction of the

1 subsequent offense or acceptance of a plea of guilty, guilty but
2 mentally ill, or nolo contendere to the subsequent offense, the
3 sentences imposed for the prior charged offense and the subse-
4 quent offense shall run consecutively.

5 ~~(2) Beginning January 1, 1992, if a person who has been~~
6 ~~charged with a felony, pending the disposition of the charge,~~
7 ~~commits a subsequent offense that is a felony, upon conviction of~~
8 ~~the subsequent offense or acceptance of a plea of guilty, guilty~~
9 ~~but mentally ill, or nolo contendere to the subsequent offense,~~
10 ~~the following shall apply:~~

11 ~~(a) Unless the subsequent offense is a major controlled sub-~~
12 ~~stance offense, the sentences imposed for the prior charged~~
13 ~~offense and the subsequent offense may run consecutively.~~

14 ~~(b) If the subsequent offense is a major controlled sub-~~
15 ~~stance offense, the sentences imposed for the prior charged~~
16 ~~offense and the subsequent offense shall run consecutively.~~

17 ~~(3) The department of corrections shall report to the legis-~~
18 ~~lature no later than June 1, 1991, on the impact that the amenda-~~
19 ~~tory act that added this subsection has had on prison capacity~~
20 ~~and population.~~