

SUBSTITUTE FOR  
HOUSE BILL NO. 5762

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 27 of chapter IX (MCL 769.27) and by adding  
section 1f to chapter IX.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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CHAPTER IX

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SEC. 1F. (1) A JUDGMENT OF SENTENCE COMMITTING AN INDIVID-

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UAL TO THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS SHALL

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SPECIFY WHETHER THE SENTENCE IS TO RUN CONSECUTIVELY TO OR CON-

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CURRENTLY WITH ANY OTHER SENTENCE THE DEFENDANT IS OR WILL BE

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SERVING, AS PROVIDED BY LAW.

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(2) UPON SENTENCING A DEFENDANT, THE COURT SHALL PROVIDE A

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COPY OF THE JUDGMENT OF SENTENCE TO THE PROSECUTING ATTORNEY, THE

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DEFENDANT, AND THE DEFENDANT'S COUNSEL.

**HB5762, As Passed House, June 10, 1998**

House Bill No. 5762

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1 (3) THE PROSECUTING ATTORNEY OR THE DEFENDANT'S COUNSEL, OR  
2 THE DEFENDANT IF HE OR SHE IS NOT REPRESENTED, MAY FILE AN OBJEC-  
3 TION TO THE JUDGMENT OF SENTENCE WITHIN 14 DAYS AFTER RECEIVING  
4 IT. THE COURT SHALL PROMPTLY HOLD A HEARING ON ANY OBJECTION  
5 FILED. THE PROCEDURE FOR REVIEWING A JUDGMENT OF SENTENCE PRO-  
6 VIDED IN THIS SUBSECTION IS IN ADDITION TO ANY OTHER REVIEW PRO-  
7 CEDURE AUTHORIZED BY STATUTE OR COURT RULE.

8 Sec. 27. ~~In the event that~~ IF THE COURT CHANGES any sen-  
9 tence imposed under ~~and by virtue of the provisions of~~ this act  
10 ~~shall be changed~~ in any respect, ~~by the sentencing judge, it~~  
11 ~~shall be the duty of~~ the clerk of the court ~~of said judge to~~  
12 SHALL give written notice of the change to the prosecuting  
13 attorney, THE DEFENDANT, AND THE DEFENDANT'S COUNSEL. ~~In the~~  
14 ~~event that the~~ THE prosecuting attorney ~~desires to oppose~~ OR  
15 THE DEFENDANT'S COUNSEL, OR THE DEFENDANT IF HE OR SHE IS NOT  
16 REPRESENTED, SHALL FILE ANY OBJECTION TO the change ~~, he shall~~  
17 ~~file an application,~~ within ~~5~~ 14 days after receiving ~~such~~  
18 THE notice. ~~, and in such a case shall be entitled to be heard~~  
19 ~~in open court upon the merits of the change.~~ THE COURT SHALL  
20 PROMPTLY HOLD A HEARING ON ANY OBJECTION FILED.

21 Enacting section 1. This amendatory act does not take  
22 effect unless House Bill No. 5587 of the 89th Legislature is  
23 enacted into law.