



# HOUSE BILL No. 5344

February 10, 2000, Introduced by Reps. Raczkowski, Bishop, Julian, Bovin, Pappageorge, Scranton and Birkholz and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
(MCL 760.1 to 777.69) by adding section 2a to chapter X.

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

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CHAPTER X

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SEC. 2A. A MOTION TO WITHDRAW A PLEA OF GUILTY OR NOLO CON-

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TENDERE IS SUBJECT TO ALL OF THE FOLLOWING:

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(A) THE MOTION SHALL BE MADE WITHIN 1 YEAR AFTER THE COURT

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ENTERED THE PLEA ON THE RECORD.

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(B) A PROSECUTING ATTORNEY FROM ANY COUNTY IN THIS STATE HAS

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STANDING TO CHALLENGE THE MOTION IN THE COURT IN WHICH THE MOTION

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WAS FILED IF THAT PROSECUTING ATTORNEY HAS FILED A CHARGE AGAINST

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THE PERSON MAKING THE MOTION.

1           (C) THE PARTY MAKING THE MOTION SHALL NOTIFY THE PROSECUTING  
2 ATTORNEY IN EACH COUNTY IN WHICH THE PERSON WAS CONVICTED OF OR  
3 CHARGED WITH THE SAME OR A SUBSTANTIALLY SIMILAR CHARGE.