

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

770.9b Detention and denial of bail where defendant convicted of sexual assault of minor; definitions.

Sec. 9b.

(1) A defendant convicted of sexual assault of a minor and awaiting sentence shall be detained and shall not be admitted to bail.

(2) A defendant convicted of sexual assault of a minor sentenced to a term of imprisonment who has filed an appeal or an application for leave to appeal shall be detained and shall not be admitted to bail.

(3) As used in this section:

(a) "Minor" means an individual less than 16 years of age.

(b) "Sexual assault of a minor" means a violation of any of the following:

(i) Section 520b, 520c, 520d(1)(b), (c), (d), or (e) of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, and 750.520d, in which the victim of the offense is a minor.

(ii) Section 520d(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520d, if the actor is 5 or more years older than the victim.

(iii) Section 520g of the Michigan penal code, 1931 PA 328, MCL 750.520g, for assaulting an individual with the intent to commit criminal sexual conduct described in subparagraphs (i) and (ii).

History: Add. 2004, Act 32, Eff. June 30, 2004

Compiler's Notes: In subsection (3)(b)(i), the phrase "Section 520b, 520c, 520d(1)(b), (c), (d), or (e) of the Michigan penal code" evidently should read "Section 520b, 520c, or 520d(1)(b), (c), (d), or (e) of the Michigan penal code."