

Partial Expansion of Private Prosecution Authority Amendment

Whereas prosecutions of criminal offences shall be guided by objective considerations of evidentiary sufficiency and legal propriety while respecting the discretionary responsibilities vested in the office of the Attorney General,

The Senate enacts:

§1. Article 1 §1.1. of the Courtroom Procedures Act shall be amended to read:

“

§1.1. If the Attorney General fails to file a Criminal Complaint within 72 hours of a case being referred to them for prosecution, declines to prosecute or otherwise stops prosecution, they shall grant authority to prosecute to the first entity who wishes to pursue charges for those incidents, unless otherwise governed by legislation.

§1.1.1. If a criminal case is dismissed without prejudice or otherwise stopped without a verdict, the Attorney General shall resume control over the prosecution within 72 hours or grant authority to prosecute to the first entity who wishes to pursue charges for those incidents, unless otherwise governed by legislation.

“

§2. Article 1 §1.1.1. of the Courtroom Procedures Act shall be repealed.