

HB 352 -- Prosecuting Attorneys

Sponsor: Lipke

This bill allows a prosecutor to dismiss criminal charges against a person without seeking permission from the court. This dismissal is without prejudice and may be filed again later. However, if it is filed after the time double jeopardy has attached, the dismissal is with prejudice, unless the defendant has consented to having the case dismissed without prejudice. Double jeopardy attaches at the time a jury is impaneled or, when there is no jury, when the judge begins hearing evidence.