

77-22-4.5 Prosecutorial authority to compromise an offense regarding a witness.

- (1) As used in this section, "prosecutor" includes the state attorney general and any assistant, a district attorney and any deputy, a county attorney and any deputy, and a municipal prosecutor and any deputy.
- (2) This chapter does not prohibit or limit the authority of a prosecutor to divert, reduce, or compromise any criminal charge against a witness or other party when the witness voluntarily enters into an agreement to provide testimony or other evidence against himself or another accused in consideration for the diversion, reduction, or compromise if:
 - (a) the prosecutor holds authority to prosecute the offense against the witness or other party; and
 - (b) the complete agreement with the witness is in writing and a copy of the agreement is given to the witness.
- (3) Any agreement under Subsection (2) is subject to discovery by counsel for the accused in any prosecution in which the witness with whom the agreement is made has agreed to testify.

Enacted by Chapter 115, 1995 General Session