## SUBSTITUTE FOR SENATE BILL NO. 1027

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"

(MCL 760.1 to 777.69) by adding section 21b to chapter XVI.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1	CHAPTER XVI
2	Sec. 21b. (1) A prosecutor's office, a law enforcement agency
3	and a social welfare agency may work in concert to establish a
4	supervision program that diverts individuals who are suspected of
5	possessing or using a controlled substance in violation of section
6	7403 or 7404 of the public health code, 1978 PA 368, MCL 333.7403
7	and 333.7404, away from criminal prosecution and into the
8	supervision program created under this section before the filing of
9	criminal charges. A program established under this section must





- 1 include appropriate substance use disorder treatment. A program
- 2 established under this section must utilize a case management
- 3 system that maintains a record of each case that is diverted under
- 4 the program from inception to disposition. If the prosecutor's
- 5 office and the social welfare agency agree that an individual has
- 6 successfully completed the terms of his or her supervision, he or
- 7 she must not be prosecuted for the violation of section 7403 or
- 8 7404 of the public health code, 1978 PA 368, MCL 333.7403 and
- 9 333.7404.
- 10 (2) As used in this section, "social welfare agency" means a
- 11 community-based organization offering assistance to individuals in
- 12 need.

