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BILL ANALYSIS



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Senate Bill 691 (Substitute S-3 as reported)
Sponsor: Senator Michael J. Bouchard
Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to reduce from 15 to 14 years the minimum age at which a minor may be tried as an adult in a court of general criminal jurisdiction, rather than as a juvenile in the juvenile division of probate court (juvenile court), for certain offenses. The bill would expand the list of offenses for which a prosecutor may file criminal charges directly in a court of criminal jurisdiction and include an attempt, conspiracy, or solicitation to commit any of the specified offenses, any lesser included offense of one of those violations, and any other violation arising out of the same transaction as any of the applicable violations. In addition, the bill would refer to any of those offenses as a "specified juvenile violation".

Under current law, if a prosecuting attorney has reason to believe that a juvenile 15 years of age or older has committed any of the following offenses, the prosecuting attorney may authorize the filing of a criminal complaint and warrant on the charge: assault with intent to murder (MCL 750.83); armed assault with intent to rob and steal (MCL 750.89); attempted murder (MCL 750.91); first-degree murder (MCL 750.316); second-degree murder (MCL 750.317); first-degree criminal sexual conduct (MCL 750.520b); armed robbery with aggravated assault (MCL 750.529); carjacking (MCL 750.529a); manufacturing, delivering, or possessing with intent to deliver 650 grams or more of a mixture containing a Schedule 1 or 2 narcotic or cocaine (MCL 333.7401(2)(a)(i)); and possession of 650 grams or more of a mixture containing a Schedule 1 or 2 narcotic or cocaine (MCL 333.7403(2)(a)(i)).

The bill would add to that list burning a dwelling house (MCL 750.72); assault with intent to maim (MCL 750.86); kidnapping (MCL 750.349); and bank, safe, and vault robbery (MCL 750.531).

The bill would apply to offenses committed on or after its effective date and is tie-barred to Senate Bills 689, 690, 692, and 694.

MCL 600.606

Legislative Analyst: P. Affholter

FISCAL IMPACT

Please see FISCAL IMPACT for Senate Bill 689.

Date Completed: 12-4-95

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