

HOUSE BILL No. 5320

February 9, 2016, Introduced by Reps. Irwin, Robinson, Plawecki, Pagan and Hovey-Wright
and referred to the Committee on Criminal Justice.

A bill to amend 1974 PA 150, entitled
"Youth rehabilitation services act,"
by amending section 6a (MCL 803.306a), as amended by 1998 PA 517.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6a. (1) If a public ward described in subsection (2)
2 escapes from a facility or residence in which he or she has been
3 placed, other than his or her own home or the home of his or her
4 parent or guardian, the individual at that facility or residence
5 responsible for maintaining custody of the public ward at the time
6 of the escape shall immediately notify 1 of the following of the
7 escape or cause 1 of the following to be immediately notified of
8 the escape:

9 (a) If the escape occurs in a city, village, or township that
10 has a police department, that police department.

11 (b) If subdivision (a) does not apply, 1 of the following:

1 (i) The sheriff department of the county where the escape
2 occurs.

3 (ii) The department of state police post having jurisdiction
4 over the area where the escape occurs.

5 (2) Subsection (1) applies if the public ward is a public ward
6 under an order of ~~any~~ **EITHER** of the following:

7 (a) The juvenile division of the probate court or the family
8 division of circuit court under section 2(a)(1) of chapter XIIA of
9 **THE PROBATE CODE OF 1939**, 1939 PA 288, MCL 712A.2.

10 (b) ~~The~~ **UNTIL THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT**
11 **REPEALED SECTION 606 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA**
12 **236, MCL 600.606, THE** circuit court under section 606 of the
13 revised judicature act of 1961, 1961 PA 236, MCL 600.606.

14 ~~— (c) The recorder's court of the city of Detroit under section~~
15 ~~10a(1)(c) of former 1919 PA 369.~~

16 (3) A police agency that receives notification of an escape
17 under subsection (1) shall enter that notification into the law
18 enforcement information network without undue delay.

19 (4) As used in this section, "escape" means to leave without
20 lawful authority or to fail to return to custody when required.

21 Enacting section 1. This amendatory act takes effect 90 days
22 after the date it is enacted into law.

23 Enacting section 2. This amendatory act does not take effect
24 unless Senate Bill No. _____ or House Bill No. 5317 (request no.
25 02924'15) of the 98th Legislature is enacted into law.