



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4487 (Substitute H-3 as reported without amendment)
Sponsor: Representative James Ryan
House Committee: Judiciary and Civil Rights
Senate Committee: Judiciary

CONTENT

The bill would amend Public Act 369 of 1919, which regulates the Detroit Recorder's Court, to reduce from 15 to 14 years of age 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 juvenile court, for certain offenses. The bill applies to the list of offenses for which a prosecutor may file criminal charges directly in a court of criminal jurisdiction, without a juvenile court waiver hearing, and would expand the list of those offenses and refer to any of those offenses as a "specified juvenile violation".

The bill would add to that list burning a dwelling house; assault with intent to maim; kidnapping; bank, safe, and vault robbery; assault with intent to do great bodily harm or first-degree home invasion, if the juvenile were armed with a "dangerous weapon"; escape from a juvenile facility, as proposed by Senate Bill 870, but only if the facility were a high- or medium-security facility operated by the Family Independence Agency (FIA) or a high-security facility operated by a private agency under contract with the FIA; attempt, conspiracy, or solicitation to commit a specified juvenile violation; any lesser included offense of a specified juvenile violation, if the individual were charged with a specified juvenile violation; and any other violation arising out of the same transaction as a specified juvenile violation.

("Dangerous weapon" would mean a loaded or unloaded firearm, whether operable or inoperable; a knife, stabbing instrument, brass knuckles, blackjack, club, or other object specifically designed or customarily carried or possessed for use as a weapon; an object that was likely to cause death or bodily injury when used as a weapon and that was used as a weapon or carried or possessed for use as a weapon; or an object or device that was used or fashioned in a manner to lead a person to believe the object or device was a weapon.)

The bill would take effect on January 1, 1997, and is tie-barred to House Bills 4037, 4038, 4044, 4371, 4445, 4486, and 4490, and Senate Bills 281, 283, 682, 689, 699, 700, 724, 867, and 870.

MCL 725.10a

Legislative Analyst: P. Affholter

FISCAL IMPACT

Please see **FISCAL IMPACT** for House Bill 4037.

Date Completed: 5-22-96

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