



SENATE BILL No. 685

September 27, 1995, Introduced by Senators BOUCHARD, STEIL, CARL and MC MANUS and referred to the Committee on Judiciary.

A bill to amend section 15 of chapter II and section 1f of chapter IV of Act No. 175 of the Public Acts of 1927, entitled as amended

"The code of criminal procedure,"

section 15 of chapter II as amended by Act No. 293 of the Public Acts of 1993 and section 1f of chapter IV as amended by Act No. 195 of the Public Acts of 1994, being sections 762.15 and 764.1f of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 15 of chapter II and section 1f of chap-
2 ter IV of Act No. 175 of the Public Acts of 1927, section 15 of
3 chapter II as amended by Act No. 293 of the Public Acts of 1993
4 and section 1f of chapter IV as amended by Act No. 195 of the
5 Public Acts of 1994, being sections 762.15 and 764.1f of the
6 Michigan Compiled Laws, are amended to read as follows:

1 CHAPTER II

2 Sec. 15. This chapter also applies to an individual over
3 ~~15~~ 14 years of age whose jurisdiction has been waived under
4 section 27 of chapter IV. ~~of this act.~~

5 CHAPTER IV

6 Sec. 1f. (1) If the prosecuting attorney has reason to
7 believe that a juvenile ~~15~~ 14 years of age or older but less
8 than 17 years of age ~~has violated section 83, 89, 91, 316, 317,~~
9 ~~520b, 529, or 529a of the Michigan penal code, Act No. 328 of the~~
10 ~~Public Acts of 1931, being sections 750.83, 750.89, 750.91,~~
11 ~~750.316, 750.317, 750.520b, 750.529, and 750.529a of the Michigan~~
12 ~~Compiled Laws, or section 7401(2)(a)(i) or 7403(2)(a)(i) of the~~
13 ~~public health code, Act No. 368 of the Public Acts of 1978, being~~
14 ~~sections 333.7401 and 333.7403 of the Michigan Compiled Laws~~ IS
15 RESPONSIBLE FOR A SPECIFIED JUVENILE VIOLATION, the prosecuting
16 attorney may authorize the filing of a complaint and warrant on
17 the charge with a magistrate concerning the juvenile.

18 (2) AS USED IN THIS SECTION, "SPECIFIED JUVENILE VIOLATION"
19 MEANS ANY OF THE FOLLOWING:

20 (A) A VIOLATION OF SECTION 83, 89, 91, 316, 317, 520B, 529,
21 OR 529A OF THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC
22 ACTS OF 1931, BEING SECTIONS 750.83, 750.89, 750.91, 750.316,
23 750.317, 750.520B, 750.529, AND 750.529A OF THE MICHIGAN COMPILED
24 LAWS.

25 (B) A VIOLATION OF SECTION 7401(2)(A)(i) OR 7403(2)(A)(i) OF
26 THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE PUBLIC ACTS OF 1978,

1 BEING SECTIONS 333.7401 AND 333.7403 OF THE MICHIGAN COMPILED
2 LAWS.

3 (C) CONSPIRACY TO COMMIT A VIOLATION DESCRIBED IN SUBDIVI-
4 SION (A) OR (B).

5 (D) SOLICITATION TO COMMIT A VIOLATION DESCRIBED IN SUBDIVI-
6 SION (A) OR (B).

7 (E) ANY LESSER INCLUDED OFFENSE OF A VIOLATION DESCRIBED IN
8 SUBDIVISION (A), (B), (C), OR (D) IF THE INDIVIDUAL IS CHARGED
9 WITH A VIOLATION DESCRIBED IN SUBDIVISION (A), (B), (C), OR (D).

10 (F) ANY OTHER VIOLATION ARISING OUT OF THE SAME TRANSACTION
11 AS A VIOLATION DESCRIBED IN SUBDIVISION (A), (B), (C), OR (D) IF
12 THE INDIVIDUAL IS CHARGED WITH A VIOLATION DESCRIBED IN
13 SUBDIVISION (A), (B), (C), OR (D).

14 Section 2. This amendatory act shall not take effect unless
15 all of the following bills of the 88th Legislature are enacted
16 into law:

17 (a) Senate Bill No. 684.

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19 (b) Senate Bill No. 686.

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21 (c) Senate Bill No. 687.

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23 (d) Senate Bill No. 688.

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