



SENATE BILL No. 700

September 27, 1995, Introduced by Senators POSTHUMUS, STILLE, BENNETT, STEIL, CARL, DE GROW, SCHUETTE and MC MANUS and referred to the Committee on Judiciary.

A bill to amend sections 2 and 7 of Act No. 150 of the Public Acts of 1974, entitled "Youth rehabilitation services act," section 2 as amended by Act No. 76 of the Public Acts of 1988 and section 7 as amended by Act No. 198 of the Public Acts of 1994, being sections 803.302 and 803.307 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2 and 7 of Act No. 150 of the Public
2 Acts of 1974, section 2 as amended by Act No. 76 of the Public
3 Acts of 1988 and section 7 as amended by Act No. 198 of the
4 Public Acts of 1994, being sections 803.302 and 803.307 of the
5 Michigan Compiled Laws, are amended to read as follows:

6 Sec. 2. As used in this act:

1 (a) "Department" means the state department of social
2 services.

3 (b) "State ward" means either of the following:

4 (i) A person accepted for care by the department who is at
5 least 12 years of age at the time committed to the department by
6 the juvenile division of a probate court under section 18(1)(e)
7 of chapter XIIIA of Act No. 288 of the Public Acts of 1939, ~~as~~
8 ~~amended,~~ being section 712A.18 of the Michigan Compiled Laws, if
9 the court acquired jurisdiction over the person pursuant to sec-
10 tion 2(a) or (d) of chapter XIIIA of Act No. 288 of the Public
11 Acts of 1939, ~~as amended,~~ being section 712A.2 of the Michigan
12 Compiled Laws, and if the act for which the youth is committed
13 occurred before his or her seventeenth birthday.

14 (ii) A person accepted for care by the department who is at
15 least 15 years of age at the time committed to the department by
16 the court of general criminal jurisdiction under FORMER SUBSEC-
17 TION (3) OR (4) OF section 1 of chapter IX of the code of crimi-
18 nal procedure, Act No. 175 of the Public Acts of 1927, being sec-
19 tion 769.1 of the Michigan Compiled Laws, ~~and~~ if the act for
20 which the youth is committed occurred before his or her seven-
21 teenth birthday.

22 Sec. 7. (1) A youth accepted by the department shall remain
23 a ward of the state until discharged from state wardship with the
24 approval of any of the following and, if placed in an institu-
25 tion, shall remain until released with the approval of any of the
26 following:

1 (a) If the youth was committed to the department under
2 section 18(1)(e) of chapter XIIIA of Act No. 288 of the Public
3 Acts of 1939, being section 712A.18 of the Michigan Compiled
4 Laws, for an offense that, if committed by an adult, would be
5 punishable by imprisonment for more than 1 year or an offense
6 expressly designated by law to be a felony, with the approval of
7 the juvenile division of the probate court.

8 (b) If the youth was committed to the department under
9 section 18(1)(e) of chapter XIIIA of Act No. 288 of the Public
10 Acts of 1939 and the youth was adjudicated as being in the
11 court's jurisdiction under section 2(a) of chapter XIIIA of Act
12 No. 288 of the Public Acts of 1939, being section 712A.2 of the
13 Michigan Compiled Laws, with the approval of the juvenile divi-
14 sion of the probate court. This subdivision takes effect June 1,
15 1991 and applies to a youth in the custody of the department on
16 or after that date regardless of when the youth was committed to
17 the department.

18 (c) If the youth was committed to the department under
19 FORMER SUBSECTION (3) OR (4) OF section 1 of chapter IX of the
20 code of criminal procedure, Act No. 175 of the Public Acts of
21 1927, being section 769.1 of the Michigan Compiled Laws. ~~with~~
22 ~~the approval of the court of general criminal jurisdiction under~~
23 ~~section 1b of chapter IX of the code of criminal procedure, Act~~
24 ~~No. 175 of the Public Acts of 1927, being section 769.1b of the~~
25 ~~Michigan Compiled Laws.~~

26 (2) Except as otherwise provided in this subsection, a youth
27 accepted as a state ward shall be automatically discharged from

1 state wardship upon reaching the age of 19. A youth committed to
2 the department under section 18(1)(e) of chapter XIIIA of Act
3 No. 288 of the Public Acts of 1939 for an offense that, if com-
4 mitted by an adult, would be a violation or attempted violation
5 of section 72, 83, 84, 88, 89, 91, 316, 317, 349, 520b, 520c,
6 520d, 520g, 529, 529a, or 530 of the Michigan penal code, Act
7 No. 328 of the Public Acts of 1931, being sections 750.72,
8 750.83, 750.84, 750.88, 750.89, 750.91, 750.316, 750.317,
9 750.349, 750.520b, 750.520c, 750.520d, 750.520g, 750.529,
10 750.529a, and 750.530 of the Michigan Compiled Laws, or section
11 7401(2)(a)(i) or 7403(2)(a)(i) of the public health code, Act
12 No. 368 of the Public Acts of 1978, being sections 333.7401 and
13 333.7403 of the Michigan Compiled Laws, shall be automatically
14 discharged from state wardship upon reaching the age of 21. A
15 youth committed to the department under FORMER SUBSECTION (3) OR
16 (4) OF section 1 of chapter IX of Act No. 175 of the Public Acts
17 of 1927 shall be automatically discharged from state wardship
18 upon reaching the age of 21.

19 Section 2. This amendatory act shall not take effect unless
20 Senate Bill No. 699
21 of the 88th Legislature is enacted into law.