



SENATE BILL No. 1045

May 21, 1996, Introduced by Senator ROGERS and referred to the Committee on Judiciary.

A bill to amend sections 2 and 4 of Act No. 73 of the Public Acts of 1988, entitled "The juvenile facilities act," being sections 803.222 and 803.224 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2 and 4 of Act No. 73 of the Public
2 Acts of 1988, being sections 803.222 and 803.224 of the Michigan
3 Compiled Laws, are amended to read as follows:

4 Sec. 2. As used in this act:

5 (a) "Department" means the ~~department of social services~~
6 FAMILY INDEPENDENCE AGENCY.

7 (b) "Juvenile" means a person within the jurisdiction of the
8 juvenile division of the probate court OR THE FAMILY DIVISION OF
9 THE CIRCUIT COURT under section 2(a) of chapter XIIA of Act

1 No. 288 of the Public Acts of 1939, being section 712A.2 of the
2 Michigan Compiled Laws, ~~—~~ within the GENERAL CRIMINAL jurisdic-
3 tion of the circuit court under section 606 of the revised judi-
4 cature act of 1961, Act No. 236 of the Public Acts of 1961, being
5 section 600.606 of the Michigan Compiled Laws, ~~—~~ or within the
6 jurisdiction of the recorder's court of the city of Detroit under
7 section 10a(1)(c) of Act No. 369 of the Public Acts of 1919,
8 being section 725.10a of the Michigan Compiled Laws.

9 (c) "Juvenile facility" means a county facility, an institu-
10 tion operated as an agency of the county, ~~or~~ the juvenile divi-
11 sion of the probate court, OR THE FAMILY DIVISION OF THE CIRCUIT
12 COURT or a state institution or agency described in the youth
13 rehabilitation services act, Act No. 150 of the Public Acts of
14 1974, being sections 803.301 to 803.309 of the Michigan Compiled
15 Laws, to which a juvenile has been committed under section
16 18(1)(e) of chapter XIIA of Act No. 288 of the Public Acts of
17 1939, being section 712A.18 of the Michigan Compiled Laws, or
18 under section 27a of chapter IV or section 1 of chapter IX of the
19 code of criminal procedure, Act No. 175 of the Public Acts of
20 1927, being sections 764.27a and 769.1 of the Michigan Compiled
21 Laws.

22 Sec. 4. (1) If a juvenile within the GENERAL CRIMINAL
23 jurisdiction of the circuit court under section 606 of the
24 revised judicature act of 1961, Act No. 236 of the Public Acts of
25 1961, being section 600.606 of the Michigan Compiled Laws, or
26 within the jurisdiction of the recorder's court of the city of
27 Detroit under section 10a(1)(c) of Act No. 369 of the Public Acts

1 of 1919, being section 725.10a of the Michigan Compiled Laws, is
2 committed to a juvenile facility pending trial, the department
3 shall inquire into the JUVENILE'S antecedents, character, and
4 circumstances ~~of the juvenile,~~ and shall report in writing to
5 the court ~~prior to~~ BEFORE the juvenile's sentencing.

6 (2) A report prepared under subsection (1) shall include all
7 of the following:

8 (a) An evaluation of and a prognosis for the juvenile's
9 adjustment in the community based on factual information con-
10 tained in the report.

11 (b) A recommendation as to whether the juvenile is more
12 likely to be rehabilitated by the services and facilities avail-
13 able in adult programs and procedures than in juvenile programs
14 and procedures.

15 (c) A recommendation as to what disposition is in the best
16 interests of the public welfare and the protection of the public
17 security.

18 Section 2. This amendatory act shall not take effect unless
19 House Bill No. 5158 of the 88th Legislature is enacted into law.