



HOUSE BILL No. 4041

January 11, 1995, Introduced by Reps. Hammerstrom, Llewellyn, Dalman, Crissman, Rhead, Walberg, Fitzgerald and Bullard and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 10a of Act No. 369 of the Public Acts of 1919, entitled as amended

"An act to supplement existing laws providing for the establishment and maintenance of municipal courts of record and defining the jurisdiction of such courts; to fix the number of judges thereof; to provide a presiding judge; to define the privileges of such presiding judge; to modify the procedure in and extend the jurisdiction of said courts in certain respects, and to confer upon said courts jurisdiction in certain civil causes, and to provide for the exercise thereof, to provide for a referendum, and to provide for the abolishing of any police courts or other courts not of record having exclusive criminal jurisdiction existing in any city in which the provisions of this act become operative, and to provide for a system of civil service in the traffic and ordinance division of said courts,"

as amended by Act No. 194 of the Public Acts of 1994, being section 725.10a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 10a of Act No. 369 of the Public Acts of
2 1919, as amended by Act No. 194 of the Public Acts of 1994, being

1 section 725.10a of the Michigan Compiled Laws, is amended to read
2 as follows:

3 Sec. 10a. (1) Effective September 1, 1981, a municipal
4 court of record has original and exclusive jurisdiction of the
5 crimes or offenses listed in subdivisions (a) and (b) and has
6 jurisdiction of the crimes listed in subdivision (c), committed
7 within the corporate limits of the city of Detroit:

8 (a) Crimes or offenses punishable by imprisonment for more
9 than 1 year.

10 (b) Crimes or offenses designated by law as felonies.

11 (c) A violation of ~~section~~ ANY OF THE FOLLOWING IF COMMIT-
12 TED BY A JUVENILE 15 YEARS OF AGE OR OLDER AND LESS THAN 17 YEARS
13 OF AGE:

14 (i) SECTION 83, 89, 91, 316, 317, 520b, 529, or 529a of the
15 Michigan penal code, Act No. 328 of the Public Acts of 1931,
16 being sections 750.83, 750.89, 750.91, 750.316, 750.317,
17 750.520b, 750.529, and 750.529a of the Michigan Compiled Laws. ~~or~~
18 ~~or section~~

19 (ii) SECTION 7401(2)(a)(i) or 7403(2)(a)(i) of the public
20 health code, Act No. 368 of the Public Acts of 1978, being sec-
21 tions 333.7401 and 333.7403 of the Michigan Compiled Laws. ~~if~~
22 ~~committed by a juvenile 15 years of age or older and less than 17~~
23 ~~years of age.~~

24 (iii) SECTION 84, 110A(2), OR 349 OF ACT NO. 328 OF THE
25 PUBLIC ACTS OF 1931, BEING SECTIONS 750.84, 750.110A, AND 750.349
26 OF THE MICHIGAN COMPILED LAWS, IF THE JUVENILE IS ARMED WITH A

1 DANGEROUS WEAPON. AS USED IN THIS SECTION, "DANGEROUS WEAPON"
2 MEANS 1 OR MORE OF THE FOLLOWING:

3 (A) A LOADED OR UNLOADED FIREARM, WHETHER OPERABLE OR
4 INOPERABLE.

5 (B) A KNIFE, STABBING INSTRUMENT, BRASS KNUCKLES, BLACKJACK,
6 CLUB, OR OTHER OBJECT SPECIFICALLY DESIGNED OR CUSTOMARILY CAR-
7 RIED OR POSSESSED FOR USE AS A WEAPON.

8 (C) AN OBJECT THAT IS LIKELY TO CAUSE DEATH OR BODILY INJURY
9 WHEN USED AS A WEAPON AND THAT IS USED AS A WEAPON OR CARRIED OR
10 POSSESSED FOR USE AS A WEAPON.

11 (D) AN OBJECT OR DEVICE THAT IS USED OR FASHIONED IN A
12 MANNER TO LEAD A PERSON TO BELIEVE THE OBJECT OR DEVICE IS AN
13 OBJECT OR DEVICE DESCRIBED IN SUB-SUBPARAGRAPHS (A) TO (C).

14 (2) In addition to the jurisdiction provided in subsection
15 (1), a municipal court of record has jurisdiction of those cases
16 pending in the municipal court of record on August 31, 1981.

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

20 (a) Senate Bill No. ____ or House Bill No. 4039 (request
21 no. 01934'95).

22 (b) Senate Bill No. ____ or House Bill No. 4040 (request
23 no. 01934'95 a).

24 (c) Senate Bill No. ____ or House Bill No. 4042 (request
25 no. 01934'95 c).

26 (d) Senate Bill No. ____ or House Bill No. 4043 (request
27 no. 01934'95 d).

1 (e) Senate Bill No. ____ or House Bill No. 4044 (request
2 no. 01934'95 e).