



HOUSE BILL No. 6145

September 25, 1996, Introduced by Reps. Ryan, Llewellyn, Crissman, Rhead, Middleton, Hammerstrom, Bush, Perricone, Gnodtke, Gustafson, Bodem, Jaye, McBryde, Whyman, Goschka and London and referred to the Committee on Judiciary and Civil Rights.

A bill to amend chapter XIIA of Act No. 288 of the Public Acts of 1939, entitled as amended

"An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,"

as amended, being sections 712A.1 to 712A.31 of the Michigan Compiled Laws, by adding section 11d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Chapter XIIA of Act No. 288 of the Public Acts
2 of 1939, as amended, being sections 712A.1 to 712A.31 of the
3 Michigan Compiled Laws, is amended by adding section 11d to read
4 as follows:

5 CHAPTER XIIA

6 SEC. 11D. (1) IF THE PROSECUTING ATTORNEY FILES A PETITION
7 REQUESTING THE COURT TO TAKE JURISDICTION OF A JUVENILE UNDER
8 SECTION 2(A)(1) OF THIS CHAPTER FOR AN OFFENSE THAT IF COMMITTED
9 BY AN ADULT WOULD BE A FELONY OR AN ASSAULTIVE CRIME, THE COURT
10 SHALL NOT DISMISS THE MATTER ON A CONSENT CALENDAR OR OTHER PRE-
11 LIMINARY PROCEEDING WITHOUT THE PROSECUTING ATTORNEY'S CONSENT.

12 (2) AS USED IN THIS SECTION:

13 (A) "ASSAULTIVE CRIME" MEANS A CRIME THAT HAS AS AN ELEMENT
14 THE USE OR THREATENED USE OF FORCE AGAINST THE VICTIM.

15 (B) "FELONY" MEANS A CRIME PUNISHABLE BY IMPRISONMENT FOR
16 MORE THAN 1 YEAR OR THAT IS DESIGNATED BY LAW AS A FELONY.