

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

***** 762.12.amended THIS AMENDED SECTION IS EFFECTIVE AUGUST 18, 2015 *****

762.12.amended Termination or revocation as youthful trainee; effect.

Sec. 12. (1) Subject to subsection (2), the court of record having jurisdiction over the criminal offense referred to in section 11 of this chapter may, at any time, terminate its consideration of the individual as a youthful trainee or, once having assigned the individual to the status of a youthful trainee, may at its discretion revoke that status any time before the individual's final release.

(2) If the court assigns an individual to youthful trainee status, the court shall revoke that status if the individual pleads guilty to or is convicted of any of the following during the period of assignment:

(a) A felony for which the maximum penalty is imprisonment for life.

(b) A major controlled substance offense.

(c) A violation, attempted violation, or conspiracy to violate section 82, 84, 88, 110a, 224f, 226, 227, 227a, 227b, 520b, 520c, 520d, 520e, 529a, or 530 of the Michigan penal code, 1931 PA 328, MCL 750.82, 750.84, 750.88, 750.110a, 750.224f, 750.226, 750.227, 750.227a, 750.227b, 750.520b, 750.520c, 750.520d, 750.520e, 750.529a, and 750.530, other than section 520d(1)(a) or 520e(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520d and 750.520e.

(d) A violation, attempted violation, or conspiracy to violate section 520g of the Michigan penal code, 1931 PA 328, MCL 750.520g, with the intent to commit a violation of section 520b, 520c, 520d, or 520e of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, and 750.520e, other than section 520d(1)(a) or 520e(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520d and 750.520e.

(e) A firearm offense. As used in this subdivision, "firearm offense" means a crime involving a firearm as that term is defined in section 1 of 1927 PA 372, MCL 28.421, whether or not the possession, use, transportation, or concealment of a firearm is an element of the crime.

(3) If an individual who is required to be registered under the sex offenders registration act, 1994 PA 295, MCL 28.721 to 28.736, willfully violates that act, the court shall revoke the individual's status as a youthful trainee. Upon termination of consideration or revocation of status as a youthful trainee, the court may enter an adjudication of guilt and proceed as provided by law. If the status of youthful trainee is revoked, an adjudication of guilt is entered, and a sentence is imposed, the court in imposing sentence shall specifically grant credit against the sentence for time served as a youthful trainee in an institutional facility of the department of corrections or in a county jail.

History: Add. 1966, Act 301, Eff. Jan. 1, 1967;—Am. 1993, Act 293, Eff. Jan. 1, 1994;—Am. 1994, Act 286, Eff. Oct. 1, 1995;—Am. 2015, Act 32, Eff. Aug. 18, 2015.