

# SENATE BILL No. 541

October 9, 1991, Introduced by Senators O'BRIEN, KELLY  
and MILLER and referred to the Committee on Judiciary.

A bill to amend section 2 of Act No. 13 of the Public Acts  
of 1988, entitled  
"Juvenile diversion act,"  
being section 722.822 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 13 of the Public Acts of  
2 1988, being section 722.822 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 2. As used in this act:

5 (a) "Assaultive crime" means an offense ~~which~~ THAT, if  
6 committed by an adult, would constitute an offense against a  
7 person described in ~~any of the following~~ sections ~~+~~ 82 to 89,  
8 316, 317, 321, 349 to 350, 397, 520a to 520g, 529, ~~and~~ 529A, OR  
9 530 of the Michigan penal code, Act No. 328 of the Public Acts  
10 of 1931, being sections 750.82 to 750.89, 750.316, 750.317,

1 750.321, 750.349 to 750.350, 750.397, 750.520a to 750.520g,  
2 750.529, 750.529A, and 750.530 of the Michigan Compiled Laws.

3 (b) "Court" means the juvenile division of the probate  
4 court.

5 (c) "Divert" or "diversion" means the placement that occurs  
6 when a formally recorded apprehension is made by a law enforce-  
7 ment agency for an act by a minor that if a petition were filed  
8 with the court would bring that minor within section 2(a) of  
9 chapter XIIIA of Act No. 288 of the Public Acts of 1939, being  
10 section 712A.2 of the Michigan Compiled Laws, and instead of  
11 petitioning the court or authorizing a petition, either of the  
12 following occurs:

13 (i) The minor is released into the custody of his or her  
14 parent, guardian, or custodian and the investigation is  
15 discontinued.

16 (ii) The minor and the minor's parent, guardian, or custo-  
17 dian agree to work with a person or public or private organi-  
18 zation or agency that will assist the minor and the minor's  
19 family in resolving the problem that initiated the  
20 investigation.

21 (d) "Law enforcement agency" means a police department of a  
22 city, village, or township; a sheriff's department; the depart-  
23 ment of state police; or any other governmental law enforcement  
24 agency in this state.

25 (e) "Minor" means a person less than 17 years of age.

26 Section 2. This amendatory act shall not take effect unless  
27 Senate Bill No. 507 of the 86th Legislature is enacted into law.