



SENATE BILL No. 779

July 21, 1993, Introduced by Senators KELLY, MILLER,
KOIVISTO, HART, FAUST, BOUCHARD and GEAKE 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:~~ SECTION 82
8 ~~to~~ 83, 84, 86, 87, 88, 89, 316, 317, 321, 349, ~~to~~ 349A, 350,
9 397, ~~520a to~~ 520B, 520C, 520D, 520E, 520g, 529, ~~and~~ 529A, OR

1 530 of the Michigan penal code, Act No. 328 of the Public Acts
2 of 1931, being sections 750.82, ~~to~~ 750.83, 750.84, 750.86,
3 750.87, 750.88, 750.89, 750.316, 750.317, 750.321, 750.349, ~~to~~
4 750.349A, 750.350, 750.397, ~~750.520a to~~ 750.520B, 750.520C,
5 750.520D, 750.520E, 750.520g, 750.529, 750.529A, and 750.530 of
6 the Michigan Compiled Laws.

7 (b) "Court" means the juvenile division of the probate
8 court.

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

17 (i) The minor is released into the custody of his or her
18 parent, guardian, or custodian and the investigation is
19 discontinued.

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

25 (d) "Law enforcement agency" means a police department of a
26 city, village, or township, ~~or~~ a sheriff's department, ~~or~~ the

1 department of state police, ~~or~~ or any other governmental law
2 enforcement agency in this state.

3 (e) "Minor" means ~~a person~~ AN INDIVIDUAL less than 17
4 years of age.

5 Section 2. This amendatory act shall not take effect unless
6 Senate Bill No. 773

7 of the 87th Legislature is enacted into law.