



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4486 (Substitute H-3 as reported without amendment)

Sponsor: Representative David Galloway

House Committee: Judiciary and Civil Rights

Senate Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to reduce from 15 to 14 years of age the minimum age at which a minor may be tried as an adult in a court of general criminal jurisdiction, rather than as a juvenile in juvenile court, for certain offenses. The bill applies to the list of offenses for which a prosecutor may file criminal charges directly in a court of criminal jurisdiction, without a juvenile court waiver hearing, and would expand the list of those offenses and refer to any of those offenses as a "specified juvenile violation".

The bill would add to that list burning a dwelling house; assault with intent to maim; kidnapping; bank, safe, and vault robbery; assault with intent to do great bodily harm or first-degree home invasion, if the juvenile were armed with a "dangerous weapon"; escape from a juvenile facility, as proposed by Senate Bill 870, but only if the facility were a high- or medium-security facility operated by the Family Independence Agency (FIA) or a high-security facility operated by a private agency under contract with the FIA; attempt, conspiracy, or solicitation to commit a specified juvenile violation; any lesser included offense of a specified juvenile violation, if the individual were charged with a specified juvenile violation; and any other violation arising out of the same transaction as a specified juvenile violation.

("Dangerous weapon" would mean a loaded or unloaded firearm, whether operable or inoperable; a knife, stabbing instrument, brass knuckles, blackjack, club, or other object specifically designed or customarily carried or possessed for use as a weapon; an object that was likely to cause death or bodily injury when used as a weapon and that was used as a weapon or carried or possessed for use as a weapon; or an object or device that was used or fashioned in a manner to lead a person to believe the object or device was a weapon.)

The bill would take effect on January 1, 1997, and is tie-barred to House Bills 4037, 4038, 4044, 4371, 4445, 4487, and 4490, and Senate Bills 281, 283, 682, 689, 699, 700, 724, 867, and 870.

MCL 600.606

Legislative Analyst: P. Affholter

FISCAL IMPACT

Please see FISCAL IMPACT for House Bill 4037.

Date Completed: 5-22-96

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