



HOUSE BILL No. 4038

January 11, 1995, Introduced by Reps. Hammerstrom, Dalman, Crissman, Rhead, Geiger, Walberg, Fitzgerald, Voorhees, Bullard, Bush, Lowe and Hill and referred to the Committee on Judiciary and Civil Rights.

A bill to amend chapter XIIIA 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 18g.

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 18g to read
4 as follows:

5 CHAPTER XIIA

6 SEC. 18G. (1) IN ADDITION TO ANY OTHER DISPOSITION UNDER
7 THIS ACT, A CHILD SHALL BE COMMITTED UNDER SECTION 18(1)(E) OF
8 THIS CHAPTER TO A DETENTION FACILITY FOR A SPECIFIED PERIOD OF
9 TIME IF ALL OF THE FOLLOWING CIRCUMSTANCES EXIST:

10 (A) THE CHILD IS UNDER THE JURISDICTION OF THE JUVENILE
11 DIVISION OF THE PROBATE COURT UNDER SECTION 2(A)(1) OF THIS
12 CHAPTER.

13 (B) THE CHILD IS ADJUDICATED AS HAVING VIOLATED A CRIMINAL
14 MUNICIPAL ORDINANCE OR LAW OF THIS STATE OR THE UNITED STATES.

15 (C) THE CHILD IS FOUND TO HAVE USED A FIREARM DURING THE
16 CRIMINAL VIOLATION.

17 (2) THE PERIOD OF TIME SPECIFIED UNDER SUBSECTION (1) SHALL
18 NOT EXCEED THE LENGTH OF THE SENTENCE THAT COULD HAVE BEEN
19 IMPOSED IF THE CHILD HAD BEEN CHARGED AS AN ADULT.

20 (3) "FIREARM" MEANS THAT TERM AS DEFINED IN SECTION 3T OF
21 CHAPTER 1 OF THE REVISED STATUTES OF 1846, BEING SECTION 8.3T OF
22 THE MICHIGAN COMPILED LAWS.