



# HOUSE BILL No. 4371

February 9, 1995, Introduced by Reps. McBryde, Gernaat, Cropsey, Hill, Bobier, Goschka, Dalman, DeMars, Jellema, DeHart, Kelly, Hammerstrom and Dobb and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 7 of Act No. 150 of the Public Acts of 1974, entitled "Youth rehabilitation services act," as amended by Act No. 198 of the Public Acts of 1994, being section 803.307 of the Michigan Compiled Laws.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 7 of Act No. 150 of the Public Acts of  
2 1974, as amended by Act No. 198 of the Public Acts of 1994, being  
3 section 803.307 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 7. (1) A youth accepted by the department shall remain  
6 a ward of the state until discharged from state wardship with the  
7 approval of any of the following and, if placed in an

1 institution, shall remain until released with the approval of any  
2 of the following:

3 (a) If the youth was committed to the department under sec-  
4 tion 18(1)(e) of chapter XIIIA of Act No. 288 of the Public Acts  
5 of 1939, being section 712A.18 of the Michigan Compiled Laws, for  
6 an offense that, if committed by an adult, would be punishable by  
7 imprisonment for more than 1 year or an offense expressly desig-  
8 nated by law to be a felony, with the approval of the juvenile  
9 division of the probate court.

10 (b) If the youth was committed to the department under  
11 section 18(1)(e) of chapter XIIIA of Act No. 288 of the Public  
12 Acts of 1939 and the youth was adjudicated as being in the  
13 court's jurisdiction under section 2(a) of chapter XIIIA of Act  
14 No. 288 of the Public Acts of 1939, being section 712A.2 of the  
15 Michigan Compiled Laws, with the approval of the juvenile divi-  
16 sion of the probate court. This subdivision takes effect June 1,  
17 1991 and applies to a youth in the custody of the department on  
18 or after that date regardless of when the youth was committed to  
19 the department.

20 (c) If the youth was committed to the department under sec-  
21 tion 1 of chapter IX of the code of criminal procedure, Act  
22 No. 175 of the Public Acts of 1927, being section 769.1 of the  
23 Michigan Compiled Laws, with the approval of the court of general  
24 criminal jurisdiction under section 1b of chapter IX of the code  
25 of criminal procedure, Act No. 175 of the Public Acts of 1927,  
26 being section 769.1b of the Michigan Compiled Laws.

1 (2) Except as otherwise provided in this subsection, a youth  
2 accepted as a state ward shall be automatically discharged from  
3 state wardship upon reaching the age of 19. A youth committed to  
4 the department under section 18(1)(e) of chapter XIIA of Act  
5 No. 288 of the Public Acts of 1939 for an offense that, if com-  
6 mitted by an adult, would be a violation or attempted violation  
7 of section 72, 83, 84, 88, 89, 91, 316, 317, 349, 520b, 520c,  
8 520d, 520g, 529, 529a, or 530 of the Michigan penal code, Act  
9 No. 328 of the Public Acts of 1931, being sections 750.72,  
10 750.83, 750.84, 750.88, 750.89, 750.91, 750.316, 750.317,  
11 750.349, 750.520b, 750.520c, 750.520d, 750.520g, 750.529,  
12 750.529a, and 750.530 of the Michigan Compiled Laws, or section  
13 7401(2)(a)(i) or 7403(2)(a)(i) of the public health code, Act  
14 No. 368 of the Public Acts of 1978, being sections 333.7401 and  
15 333.7403 of the Michigan Compiled Laws, shall be automatically  
16 discharged from state wardship upon reaching the age of 21. ~~A-~~  
17 EXCEPT AS PROVIDED IN SUBSECTION (3), A youth committed to the  
18 department under section 1 of chapter IX of Act No. 175 of the  
19 Public Acts of 1927 shall be automatically discharged from state  
20 wardship upon reaching the age of 21.

21 (3) IF THE COURT SENTENCES THE YOUTH TO A SENTENCE PROVIDED  
22 BY LAW FOR AN ADULT OFFENDER PURSUANT TO SECTION 1B(4) OF CHAPTER  
23 IX OF ACT NO. 175 OF THE PUBLIC ACTS OF 1927, BEING  
24 SECTION 769.1B OF THE MICHIGAN COMPILED LAWS, THE YOUTH SHALL BE  
25 DISCHARGED FROM STATE WARDSHIP AND COMMITTED PURSUANT TO THE  
26 COURT'S ORDER.

1 Section 2. This amendatory act shall take effect October 1,  
2 1995.

3 Section 3. This amendatory act shall not take effect unless  
4 Senate Bill No. \_\_\_\_\_ or House Bill No. 4372 (request  
5 no. 02129'95) of the 88th Legislature is enacted into law.