

HOUSE BILL No. 5336

October 30, 1997, Introduced by Reps. Kelly, Hale, Leland and Law and referred to the Committee on Appropriations.

A bill to amend 1996 PA 263, entitled
"Juvenile boot camp act,"
by amending sections 2, 3, 4, 5, 6, and 7 (MCL 400.1302,
400.1303, 400.1304, 400.1305, 400.1306, and 400.1307).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (A) "COUNTY JUVENILE AGENCY" MEANS THAT TERM AS DEFINED IN
3 SECTION 2 OF THE COUNTY JUVENILE AGENCY ACT.

4 (B) ~~-(a)-~~ "Department" means the family independence
5 agency.

6 (C) ~~-(b)-~~ "Juvenile" means an individual within the COURT'S
7 jurisdiction ~~of the juvenile division of the probate court~~
8 under section 2(a)(1) of chapter XIIA of ~~Act No. 288 of the~~
9 ~~Public Acts of 1939, being section 712A.2 of the Michigan~~
10 ~~Compiled Laws~~ 1939 PA 288, MCL 712A.2.

1 Sec. 3. The department shall establish 1 or more juvenile
2 boot camps to house and train juveniles who are ordered to par-
3 ticipate in a juvenile boot camp program ~~by a disposition~~
4 ~~entered under section 18 of chapter XIIA of Act No. 288 of the~~
5 ~~Public Acts of 1939, being section 712A.18 of the Michigan~~
6 ~~Compiled Laws~~ 1939 PA 288, MCL 712A.18, OR WHO ARE PLACED IN A
7 JUVENILE BOOT CAMP PROGRAM AFTER COMMITMENT UNDER THAT SECTION TO
8 A COUNTY JUVENILE AGENCY FOR PLACEMENT IN A JUVENILE BOOT CAMP
9 PROGRAM. To implement this section, the department may use the
10 authority granted under sections 115a(1)(f) and 117a(4) of the
11 social welfare act, ~~Act No. 280 of the Public Acts of 1939,~~
12 ~~being sections 400.115a and 400.117a of the Michigan Compiled~~
13 ~~Laws~~ 1939 PA 280, MCL 400.115A AND 400.117A, as appropriate.

14 Sec. 4. The department shall develop 1 or more juvenile
15 boot camp programs for juveniles ordered to participate in such a
16 program OR PLACED IN SUCH A PROGRAM BY A COUNTY JUVENILE AGENCY.
17 A juvenile boot camp program shall provide a program of physi-
18 cally strenuous work and exercise, patterned after military basic
19 training, and other programming as the department determines,
20 including at a minimum educational and substance abuse programs,
21 and counseling. A juvenile boot camp program shall be restricted
22 to juveniles of the same sex. To implement this section, the
23 department may use the authority granted under
24 sections 115a(1)(f) and 117a(4) of the social welfare act, ~~Act~~
25 ~~No. 280 of the Public Acts of 1939, being sections 400.115a and~~
26 ~~400.117a of the Michigan Compiled Laws~~ 1939 PA 280, MCL 400.115A
27 AND 400.117A, as appropriate.

1 Sec. 5. (1) After a juvenile is placed in a juvenile boot
2 camp program, the department shall verify that the juvenile meets
3 the requirements of section 18(1)(m)(ii), (iii), and (iv) of
4 chapter XIIIA of ~~Act No. 288 of the Public Acts of 1939, being~~
5 ~~section 712A.18 of the Michigan Compiled Laws~~ 1939 PA 288, MCL
6 712A.18, and that there is an opening in a juvenile boot camp
7 program. If the juvenile does not meet those requirements, ~~or~~
8 ~~if there is not an~~ NO opening in a juvenile boot camp program,
9 OR THE COUNTY JUVENILE AGENCY IS UNABLE TO PLACE THE JUVENILE IN
10 A JUVENILE BOOT CAMP PROGRAM, the juvenile shall be returned to
11 the ~~probate~~ court that entered the ORDER OF disposition for
12 alternative disposition.

13 (2) A juvenile's placement in a juvenile boot camp shall not
14 be less than 90 days or more than 180 days. However, if during
15 that period the juvenile misses more than 5 days of program par-
16 ticipation due to medical excuse for illness or injury occurring
17 after he or she was placed in the program, the placement period
18 shall be increased by the number of days missed, beginning with
19 the sixth day of medical excuse up to a maximum of 20 days. A
20 physician's statement shall verify a medical excuse and a copy
21 shall be sent to the court entering the disposition. A juvenile
22 who is medically unable to participate in a juvenile boot camp
23 program for more than 25 days shall be returned to the ~~probate~~
24 court that entered the ORDER OF disposition for alternative
25 disposition.

26 (3) Following his or her stay in a juvenile boot camp, the
27 juvenile shall complete a period of not less than 120 days or

1 more than 180 days of intensive supervised community
2 reintegration in the local community.

3 Sec. 6. When a juvenile is placed in a juvenile boot camp
4 OR COMMITTED TO A COUNTY JUVENILE AGENCY FOR PLACEMENT IN A JUVENILE
5 BOOT CAMP, the clerk of the ~~probate~~ court entering the
6 ORDER OF disposition shall mail the department AND THE COUNTY
7 JUVENILE AGENCY a certified copy of the disposition within 5
8 business days after placement OR COMMITMENT.

9 Sec. 7. (1) At any time during a juvenile's stay in a juvenile
10 boot camp, but not less than 5 days before the juvenile's
11 expected date of release, the department shall certify to the
12 ~~probate~~ court that entered the ORDER OF disposition AND, IF
13 APPLICABLE, THE COUNTY JUVENILE AGENCY whether the juvenile has
14 satisfactorily completed the course of training at the juvenile
15 boot camp.

16 (2) A juvenile who fails to perform satisfactorily at the
17 juvenile boot camp program shall be reported to the ~~probate~~
18 court that entered the ORDER OF disposition for alternative
19 disposition.

20 Enacting section 1. This amendatory act does not take
21 effect unless the United States department of health and human
22 services grants part 3 of the family independence agency's waiver
23 filed under the child welfare demonstration project to permit a
24 transfer of title IV-E funding from the state to 1 or more counties
25 and the family independence agency files with the secretary
26 of state a certification that the necessary waiver was granted.

1 Enacting section 2. This amendatory act does not take
2 effect unless all of the following bills of the 89th Legislature
3 are enacted into law:

4 (a) Senate Bill No. _____ or House Bill No. _____
5 (request no. 03597'97 *).

6 (b) Senate Bill No. _____ or House Bill No. _____
7 (request no. 03598'97 *).

8 (c) Senate Bill No. _____ or House Bill No. _____
9 (request no. 03598'97 a *).

10 (d) Senate Bill No. _____ or House Bill No. _____
11 (request no. 03598'97 b *).

12 (e) Senate Bill No. _____ or House Bill No. _____
13 (request no. 03599'97 *).

14 (f) Senate Bill No. _____ or House Bill No. _____
15 (request no. 03644'97 *).

16 (g) Senate Bill No. _____ or House Bill No. _____
17 (request no. 03917'97 *).