



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5240 (Substitute H-1 as reported with amendment)
Sponsor: Representative Larry Julian
House Committee: Criminal Justice
Senate Committee: Families and Human Services

CONTENT

The bill would amend the Holmes Youthful Trainee Act to expand the circumstances under which a juvenile may not be assigned to youthful trainee status, and remove a requirement for registration under the Sex Offenders Registration Act.

Currently, if an individual pleads guilty to a criminal offense committed on or after his or her 17th birthday but before his or her 21st birthday, the court may, without entering a judgment of conviction and with the individual's consent, consider and assign that individual to youthful trainee status. The court may not assign a person to youthful trainee status for certain offenses. The bill also would exclude a person convicted of committing, attempting to commit, or conspiring to commit second- or third-degree criminal sexual conduct (CSC) or assault with intent to commit first-, second, or third-degree, other than second-degree CSC with a person under age 13 or third-degree CSC with a person at least 13 years old but less than 16.

Also, individuals assigned youthful trainee status for an offense listed in the Sex Offenders Registration Act are currently required to register under that Act. Under the bill, this would apply only to individuals assigned to youthful trainee status before October 1, 2004.

The bill would take effect on October 1, 2004. It is tie-barred to House Bill 4920, which would allow juveniles charged with or convicted of particular sex offenses to petition the court for exemption from registration on the public sex offender registry, and a limited period of registration on the law enforcement sex offender registry.

MCL 762.11 et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government.

By adding certain criminal sexual conduct offenses to the list of offenses that preclude an offender from being considered a youthful trainee, the bill could increase the number of offenders convicted as adults and sentenced to prison. As the maximum sentence for the applicable offenses is 15 years, much longer than the maximum imprisonment of three years allowed for a youthful trainee, the bill potentially could result in increased sentences for this pool of offenders. The State would incur the additional cost of incarceration in a State facility, for which the average annual cost is \$27,000.

Date Completed: 3-19-04

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