

HOUSE BILL No. 6130

September 8, 2004, Introduced by Rep. Meyer and referred to the Committee on Judiciary.

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
(MCL 701.1 to 712A.32) by adding section 17e to chapter XIIIA.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XIIIA

Sec. 17e. (1) In a proceeding under section 2(a) of this chapter, the question of whether a juvenile is competent to stand trial shall be determined under the provisions of sections 1020 to 1044 of the mental health code, 1974 PA 258, MCL 330.2020 to 330.2044.

(2) If a juvenile raises a defense of insanity in a proceeding under section 2(a) of this chapter, the issue of the juvenile's sanity shall be determined according to the provisions of section 1050 of the mental health code, 1974 PA 258, MCL 330.2050, and sections 20a, 21, 21a, and 36 of chapter VIII of

1 the code of criminal procedure, 1927 PA 175, MCL 768.20a, 768.21,
2 768.21a, and 768.36.

3 (3) If a juvenile raises a defense of alibi in a proceeding
4 under section 2(a) of this chapter, the defense shall be raised
5 according to the provisions of sections 20 and 21 of chapter VIII
6 of the code of criminal procedure, 1927 PA 175, MCL 768.20 and
7 768.21.

8 Enacting section 1. This amendatory act does not take
9 effect unless all of the following bills of the 92nd Legislature
10 are enacted into law:

11 (a) Senate Bill No. _____ or House Bill No. 6131 (request
12 no. 02328'03).

13 (b) Senate Bill No. _____ or House Bill No. 6132 (request
14 no. 02329'03).