HOUSE BILL NO. 4143

February 06, 2019, Introduced by Reps. Love, LaGrand, Rendon, Filler, Wozniak, Guerra, Elder, Hauck and Brann and referred to the Committee on Judiciary.

    A bill to amend 1931 PA 328, entitled

"The Michigan penal code,"

by amending section 139 (MCL 750.139), as amended by 1998 PA 510.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 139. (1) ~~Except as provided in subsection (2), a~~ **A** child

2 under ~~16~~ **18** years of age while under arrest, confinement, or

3 conviction for ~~any~~ **a** crime ~~, shall~~ **must** not be placed in ~~any~~ **an**

4 apartment or cell of ~~any~~ **a** prison or place of confinement with ~~any~~

5 ~~adult~~ **1 or more adults** who ~~is~~ **are** under arrest, confinement, or

6 conviction for ~~any~~ **a** crime, ~~or be permitted to remain in any court~~

1 ~~room during the trial of adults,~~ or be transported in ~~any~~ **a** vehicle

2 ~~of transportation in company~~ **used to transport inmates** with adults

3 charged with or convicted of **a** crime.

4 ~~(2) Subsection (1) does not apply to prisoners being~~

5 ~~transported to or from, or confined in a youth correctional~~

6 ~~facility operated by the department of corrections or a private~~

7 ~~vendor under section 20g of 1953 PA 232, MCL 791.220g.~~

8 **(2)** ~~(3)~~ All cases involving the commitment or trial of

9 children under ~~16~~ **18** years of age for any crime or misdemeanor,

10 before any court, ~~shall~~ **must** be heard and determined by the court

11 at a suitable time, ~~to be designated by it,~~ **designated by the**

12 **court,** separate and apart from the trial of other criminal cases.

13 **(3)** ~~(4) Any~~ **A** person who violates this section is guilty of a

14 misdemeanor.

15 Enacting section 1. This amendatory act takes effect 90 days

16 after the date it is enacted into law.

17 Enacting section 2. This amendatory act does not take effect

18 unless all of the following bills of the 100th Legislature are

19 enacted into law:

20 (a) Senate Bill No.____ or House Bill No.____ (request no.

21 00226'19).

22 (b) Senate Bill No.____ or House Bill No.____ (request no.

23 00600'19).