

YOUTH REHABILITATION SERVICES ACT (EXCERPT)
Act 150 of 1974

803.307 Duration of public wardship; discharge or release; delayed sentence; sentencing as adult offender.

Sec. 7. (1) A youth accepted by a youth agency remains a public ward until discharged from public wardship with the approval of any of the following and, if placed in an institution, shall remain until released with the approval of any of the following:

(a) If the youth was committed to a youth agency under section 18(1)(e) of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18, and the youth was adjudicated as being in the court's jurisdiction under section 2(a) of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2, with the approval of the family division of circuit court.

(b) If the youth was committed to a youth agency under section 1 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1, with the approval of the court of general criminal jurisdiction under section 1b of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1b.

(2) Except as otherwise provided in this section, a youth accepted as a public ward shall be automatically discharged from public wardship upon reaching the age of 19. Except as provided in subsection (3), a youth committed to a youth agency under section 18(1)(e) of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18, for an offense that, if committed by an adult, would be a violation or attempted violation of section 72, 83, 84, 86, 88, 89, 91, 110a(2), 186a, 316, 317, 349, 520b, 520c, 520d, 520g, 529, 529a, 530, or 531 of the Michigan penal code, 1931 PA 328, MCL 750.72, 750.83, 750.84, 750.86, 750.88, 750.89, 750.91, 750.110a, 750.186a, 750.316, 750.317, 750.349, 750.520b, 750.520c, 750.520d, 750.520g, 750.529, 750.529a, 750.530, and 750.531, or section 7401(2)(a)(i) or 7403(2)(a)(i) of the public health code, 1978 PA 368, MCL 333.7401 and 333.7403, shall be automatically discharged from public wardship upon reaching the age of 21. Except as provided in subsection (4), a youth committed to a youth agency under section 1 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1, shall be automatically discharged from public wardship upon reaching the age of 21.

(3) If the family division of circuit court imposes a delayed sentence on the youth under section 18(1)(p) of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18, the youth shall be discharged from public wardship and committed under the court's order.

(4) If a court of general criminal jurisdiction sentences the youth to a sentence provided by law for an adult offender under section 1b of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1b, the youth shall be discharged from public wardship and committed under the court's order.

History: 1974, Act 150, Imd. Eff. June 12, 1974;—Am. 1988, Act 76, Eff. Oct. 1, 1988;—Am. 1991, Act 90, Imd. Eff. July 31, 1991;—Am. 1994, Act 198, Eff. Oct. 1, 1994;—Am. 1996, Act 245, Eff. Jan. 1, 1997;—Am. 1996, Act 246, Eff. Jan. 1, 1997;—Am. 1996, Act 417, Eff. Jan. 1, 1998;—Am. 1998, Act 517, Imd. Eff. Jan. 12, 1999;—Am. 2020, Act 390, Eff. Apr. 4, 2021.

Compiler's note: Section 3 of Act 76 of 1988 provides: "This amendatory act shall take effect June 1, 1988." This section was amended by Act 179 of 1988 to read as follows: "This amendatory act shall take effect October 1, 1988."