

HOUSE BILL No. 4961

October 7, 2015, Introduced by Reps. Kesto, Santana, Garrett, Lucido, Love, Kosowski, Chang, Byrd, Robinson, Geiss, Banks, Gay-Dagnogo, Greig, Yanez, Darany, Forlini, Howrylak, LaVoy, Durhal, Rutledge, Irwin, Neeley, Hovey-Wright, Plawecki, Moss, Callton and Zemke and referred to the Committee on Criminal Justice.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 606 (MCL 600.606), as amended by 1996 PA 260.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 606. (1) The circuit court has jurisdiction to hear and
2 determine a specified juvenile violation if committed by a juvenile
3 14 years of age or older and less than 17 years of age.

4 (2) As used in this section, "specified juvenile violation"
5 means any of the following:

6 (a) A violation of section 72, 83, 86, 89, 91, 316, 317, 349,
7 520b, 529, **OR** 529a, ~~or 531~~ of the Michigan penal code, ~~Act No. 328~~
8 ~~of the Public Acts of 1931, being sections 1931 PA 328, MCL 750.72,~~
9 750.83, 750.86, 750.89, 750.91, 750.316, 750.317, 750.349,
10 750.520b, 750.529, **AND** 750.529a. ~~and 750.531 of the Michigan~~
11 ~~Compiled Laws.~~

1 (b) A violation of section 84 or 110a(2) of ~~Act No. 328 of the~~
2 ~~Public Acts of 1931, being sections 750.84 and 750.110a of the~~
3 ~~Michigan Compiled Laws, THE MICHIGAN PENAL CODE, 1931 PA 328, MCL~~
4 **750.84 AND 750.110A**, if the juvenile is armed with a dangerous
5 weapon. As used in this subdivision, "dangerous weapon" means 1 or
6 more of the following:

7 (i) A loaded or unloaded firearm, whether operable or
8 inoperable.

9 (ii) A knife, stabbing instrument, brass knuckles, blackjack,
10 club, or other object specifically designed or customarily carried
11 or possessed for use as a weapon.

12 (iii) An object that is likely to cause death or bodily injury
13 when used as a weapon and that is used as a weapon or carried or
14 possessed for use as a weapon.

15 (iv) An object or device that is used or fashioned in a manner
16 to lead a person to believe the object or device is an object or
17 device described in subparagraphs (i) to (iii).

18 ~~—— (c) A violation of section 186a of Act No. 328 of the Public~~
19 ~~Acts of 1931, being section 750.186a of the Michigan Compiled Laws,~~
20 ~~regarding escape or attempted escape from a juvenile facility, but~~
21 ~~only if the juvenile facility from which the individual escaped or~~
22 ~~attempted to escape was 1 of the following:~~

23 ~~—— (i) A high security or medium security facility operated by~~
24 ~~the family independence agency.~~

25 ~~—— (ii) A high security facility operated by a private agency~~
26 ~~under contract with the family independence agency.~~

27 ~~—— (d) A violation of section 7401(2)(a)(i) or 7403(2)(a)(i) of~~

1 ~~the public health code, Act No. 368 of the Public Acts of 1978,~~
 2 ~~being sections 333.7401 and 333.7403 of the Michigan Compiled Laws.~~

3 (C) ~~(e)~~An attempt to commit a violation described in
 4 ~~subdivisions~~ **SUBDIVISION** (a) ~~to (d)~~. **OR (B)**.

5 (D) ~~(f)~~Conspiracy to commit a violation described in
 6 ~~subdivisions~~ **SUBDIVISION** (a) ~~to (d)~~. **OR (B)**.

7 (E) ~~(g)~~Solicitation to commit a violation described in
 8 ~~subdivisions~~ **SUBDIVISION** (a) ~~to (d)~~. **OR (B)**.

9 (F) ~~(h)~~Any lesser included offense of a violation described
 10 in subdivisions (a) to ~~(g)~~ **(E)** if the individual is charged with a
 11 violation described in subdivisions (a) to ~~(g)~~ **(E)**.

12 (G) ~~(i)~~Any other violation arising out of the same
 13 transaction as a violation described in subdivisions (a) to ~~(g)~~ **(E)**
 14 if the individual is charged with a violation described in
 15 subdivisions (a) to ~~(g)~~ **(E)**.

16 Enacting section 1. This amendatory act takes effect 90 days
 17 after the date it is enacted into law.

18 Enacting section 2. This amendatory act does not take effect
 19 unless all of the following bills of the 98th Legislature are
 20 enacted into law:

21 (a) Senate Bill No. _____ or House Bill No. 4960 (request no.
 22 02529'15).

23 (b) Senate Bill No. _____ or House Bill No. 4962 (request no.
 24 03207'15).