



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 868 (Substitute S-2 as reported)
Sponsor: Senator Joel D. Gougeon
Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to reduce from 15 to 14 years the minimum age at which a minor may be tried as an adult in a court of criminal jurisdiction for certain offenses, without a waiver hearing; expand the list of offenses for which a prosecutor may file those criminal charges; include an attempt, conspiracy, or solicitation to commit any of the applicable offenses, any lesser included offense of one of those violations, and any other violation arising out of the same transaction as any of the applicable violations; and refer to any of the offenses for which a prosecutor may file criminal charges against a juvenile as a "specified juvenile violation". Among the additional offenses, the bill would include the new felony of escape from a juvenile facility, as proposed by Senate Bill 870, if the facility were a high- or medium-security facility operated by the Family Independence Agency (FIA) or by a private agency under contract with the FIA.

Under current law, a prosecuting attorney may authorize the filing of a criminal complaint against a juvenile 15 or 16 years of age, if the prosecuting attorney has reason to believe that the juvenile has committed assault with intent to murder; armed assault with intent to rob and steal; attempted murder; first-degree murder; second-degree murder; first-degree criminal sexual conduct; armed robbery with aggravated assault; carjacking; or manufacturing, delivering, possessing with intent to deliver, or possessing 650 grams or more of a mixture containing a Schedule 1 or 2 narcotic or cocaine. Senate Bill 868 (S-2) would add to that list burning a dwelling house; assault with intent to maim; kidnapping; bank, safe, and vault robbery; and escape from a high- or medium-security juvenile facility.

The bill is tie-barred to Senate Bills 866, 867, and 869, which would make similar amendments to other laws, and to Senate Bill 870, which would create the felony of escape from a juvenile facility.

MCL 600.606

Legislative Analyst: P. Affholter

FISCAL IMPACT

Please see FISCAL IMPACT for Senate Bill 866.

Date Completed: 3-8-96

Fiscal Analyst: M. Hansen
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