

Act No. 416  
Public Acts of 1996  
Approved by the Governor  
October 30, 1996  
Filed with the Secretary of State  
October 31, 1996

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1996**

Introduced by Senator Rogers

**ENROLLED SENATE BILL No. 1045**

AN ACT to amend sections 2 and 4 of Act No. 73 of the Public Acts of 1988, entitled "An act to provide for certain responsibilities and duties of the department of social services and certain facilities, institutions, and agencies; and to provide for the preparation of certain reports pertaining to certain juveniles," being sections 803.222 and 803.224 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Sections 2 and 4 of Act No. 73 of the Public Acts of 1988, being sections 803.222 and 803.224 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 2. As used in this act:

(a) "Department" means the family independence agency.

(b) "Juvenile" means a person within the jurisdiction of the family division of the circuit court under section 2(a) of chapter XIIA of Act No. 288 of the Public Acts of 1939, being section 712A.2 of the Michigan Compiled Laws, within the jurisdiction of the circuit court under section 606 of the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961, being section 600.606 of the Michigan Compiled Laws, or within the jurisdiction of the recorder's court of the city of Detroit under section 10a(1)(c) of Act No. 369 of the Public Acts of 1919, being section 725.10a of the Michigan Compiled Laws.

(c) "Juvenile facility" means a county facility, an institution operated as an agency of the county or the family division of the circuit court, or a state institution or agency described in the youth rehabilitation services act, Act No. 150 of the Public Acts of 1974, being sections 803.301 to 803.309 of the Michigan Compiled Laws, to which a juvenile has been committed under section 18(1)(e) of chapter XIIA of Act No. 288 of the Public Acts of 1939, being section 712A.18 of the Michigan Compiled Laws, or under section 27a of chapter IV or section 1 of chapter IX of the code of criminal procedure, Act No. 175 of the Public Acts of 1927, being sections 764.27a and 769.1 of the Michigan Compiled Laws.

Sec. 4. (1) If a juvenile within the jurisdiction of the circuit court under section 606 of the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961, being section 600.606 of the Michigan Compiled Laws, or within the jurisdiction of the recorder's court of the city of Detroit under section 10a(1)(c) of Act No. 369 of the Public Acts of 1919, being section 725.10a of the Michigan Compiled Laws, is committed to a juvenile facility pending trial, the department shall inquire into the juvenile's antecedents, character, and circumstances and shall report in writing to the court before the juvenile's sentencing.

(2) A report prepared under subsection (1) shall include all of the following:

(a) An evaluation of and a prognosis for the juvenile's adjustment in the community based on factual information contained in the report.

(b) A recommendation as to whether the juvenile is more likely to be rehabilitated by the services and facilities available in adult programs and procedures than in juvenile programs and procedures.

(c) A recommendation as to what disposition is in the best interests of the public welfare and the protection of the public security.

Section 2. This amendatory act shall take effect January 1, 1998.

Section 3. This amendatory act shall not take effect unless Senate Bill No. 1052 of the 88th Legislature is enacted into law.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved -----

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Governor.