

HOUSE BILL No. 5337

October 30, 1997, Introduced by Reps. Hale, Law, Leland and Kelly and referred to the Committee on Appropriations.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 186a (MCL 750.186a), as added by 1996 PA
256.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 186a. (1) An individual who is placed in a juvenile
2 facility and who escapes or attempts to escape from that juvenile
3 facility or from the custody of an employee of that juvenile
4 facility is guilty of a felony punishable by imprisonment for not
5 more than 4 years or a fine of not more than \$2,000.00, or both.

6 (2) As used in this section:

7 (a) "Escape" means to leave without lawful authority or to
8 fail to return to custody when required.

9 (b) "Juvenile facility" means a county facility, an
10 institution operated as an agency of the county or the ~~juvenile~~

1 FAMILY division of ~~the probate~~ CIRCUIT court, or ~~a state~~ AN
2 institution or agency described in the youth rehabilitation serv-
3 ices act, ~~Act No. 150 of the Public Acts of 1974, being sections~~
4 ~~803.301 to 803.309 of the Michigan Compiled Laws~~ 1974 PA 150,
5 MCL 803.301 TO 803.309, to which the individual has been commit-
6 ted under section 18(1)(e) of chapter XIIIA of ~~Act No. 288 of the~~
7 ~~Public Acts of 1939, being section 712A.18 of the Michigan~~
8 ~~Compiled Laws~~ 1939 PA 288, MCL 712A.18, after coming within the
9 COURT'S jurisdiction ~~of the juvenile division of the probate~~
10 ~~court~~ under section 2(a)(1) of chapter XIIIA of ~~Act No. 288 of~~
11 ~~the Public Acts of 1939, being section 712A.2 of the Michigan~~
12 ~~Compiled Laws~~ 1939 PA 288, MCL 712A.2, for an offense that if
13 committed by an adult would be a felony or a misdemeanor or to
14 which the individual has been committed under section 27a of
15 chapter IV or section 1 of chapter IX of the code of criminal
16 procedure, ~~Act No. 175 of the Public Acts of 1927, being sec-~~
17 ~~tions 764.27a and 769.1 of the Michigan Compiled Laws~~ 1927 PA
18 175, MCL 764.27A AND 769.1.

19 Enacting section 1. This amendatory act does not take
20 effect unless the United States department of health and human
21 services grants part 3 of the family independence agency's waiver
22 filed under the child welfare demonstration project to permit a
23 transfer of title IV-E funding from the state to 1 or more coun-
24 ties and the family independence agency files with the secretary
25 of state a certification that the necessary waiver was granted.

1 Enacting section 2. This amendatory act does not take
2 effect unless all of the following bills of the 89th Legislature
3 are enacted into law:

4 (a) Senate Bill No. _____ or House Bill No. _____ (request
5 no. 03597'97 *).

6 (b) Senate Bill No. _____ or House Bill No. _____ (request
7 no. 03598'97 *).

8 (c) Senate Bill No. _____ or House Bill No. _____ (request
9 no. 03598'97 a *).

10 (d) Senate Bill No. _____ or House Bill No. _____ (request
11 no. 03598'97 b *).

12 (e) Senate Bill No. _____ or House Bill No. _____ (request
13 no. 03599'97 *).

14 (f) Senate Bill No. _____ or House Bill No. _____ (request
15 no. 03644'97 *).

16 (g) Senate Bill No. _____ or House Bill No. _____ (request
17 no. 03917'97 *).