



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4768 (Substitute H-1 as reported without amendment)
Sponsor: Representative John Bizon, M.D.
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the juvenile code to allow a court to enter an order setting aside an adjudication upon a juvenile's completion of the Michigan Youth Challenge Academy program, if the court determined that the applicant's circumstances and behavior warranted setting aside the adjudication, and that setting aside the adjudication was consistent with the public welfare.

Generally, the code allows a person to file an application with the adjudicating court for the entry of an order setting aside an adjudication if the person has been adjudicated of not more than one juvenile offense that would be a felony if committed by an adult and not more than three juvenile offenses, of which not more than one may be a juvenile offense that would be a felony if committed by an adult, and has no felony convictions.

Except as otherwise provided, if the court determines that the circumstances and behavior of the applicant from the date of the applicant's adjudication to the filing of the application warrant setting aside the adjudication (or adjudications) and that setting aside the adjudication (or adjudications) is consistent with the public welfare, the court may enter an order setting aside the adjudication. Under the bill, if the applicant submitted to the court a certificate of completion from the Michigan Youth Challenge Academy showing that he or she had completed that program, the court would have to determine that the applicant's circumstances and behavior warranted setting aside the adjudication. If the court also determined that setting aside the adjudication was consistent with the public welfare, the court could enter an order setting aside the adjudication.

MCL 712A.18e

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 12-1-17

Fiscal Analyst: Ryan Bergan