

Act No. 103
Public Acts of 2019
Approved by the Governor
October 31, 2019

Filed with the Secretary of State
October 31, 2019

EFFECTIVE DATE: October 1, 2021

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2019**

Introduced by Reps. Elder, LaGrand, Rendon, Filler, Wozniak, Guerra, Hauck, Brann and Love

ENROLLED HOUSE BILL No. 4142

AN ACT to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 27 of chapter IV (MCL 764.27), as amended by 1996 PA 418.


The People of the State of Michigan enact:

CHAPTER IV

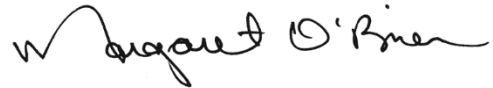
Sec. 27. Except as otherwise provided in section 606 of the revised judicature act of 1961, 1961 PA 236, MCL 600.606, if a child less than 18 years of age is arrested, with or without a warrant, the child must be taken immediately before the family division of circuit court of the county where the offense is alleged to have been committed, and the officer making the arrest shall immediately make and file, or cause to be made and filed, a petition against the child as provided in chapter XHIA of the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32. Except as otherwise provided in section 606 of the revised judicature act of 1961, 1961 PA 236, MCL 600.606, if during the pendency of a criminal case against a child in a court in this state it is ascertained that the child is less than 18 years of age, the court shall immediately transfer the case, together with all papers connected with the case, to the family division of circuit court of the county where the offense is alleged to have been committed. If a child 14 years of age or older is charged with a felony, the judge of probate, after investigation and examination and upon motion of the prosecuting attorney, may waive jurisdiction under section 4 of

chapter XIA of the probate code of 1939, 1939 PA 288, MCL 712A.4. If jurisdiction is waived, the child may be tried in the court having general criminal jurisdiction of the offense.

Enacting section 1. This amendatory act takes effect October 1, 2021.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor