

HOUSE BILL No. 4569

April 10, 1989, Introduced by Reps. Terrell, DeMars, Hunter, Stallworth, Honigman, Harrison, Leland, Joe Young, Sr., Power, Sikkema, Martin, Bandstra and Clack and referred to the Committee on Judiciary.

A bill to amend section 2 of Act No. 13 of the Public Acts of 1988, entitled
"Juvenile diversion act,"
being section 722.822 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 13 of the Public Acts of
2 1988, being section 722.822 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 2. As used in this act:

5 (a) "Assaultive crime" means an offense which if committed
6 by an adult would constitute an offense against a person
7 described in any of the following sections: 82 to 89, 316, 317,
8 321, 349 to 350, 397, 520a to 520g, 529, and 530 of the Michigan
9 penal code, Act No. 328 of the Public Acts of 1931, being
10 sections 750.82 to 750.89, 750.316, 750.317, 750.321, 750.349 to

1 750.350, 750.397, 750.520a to 750.520g, 750.529, and 750.530 of
2 the Michigan Compiled Laws.

3 (b) "Court" means the ~~juvenile division of the probate~~
4 DOMESTIC RELATIONS court.

5 (c) "Divert" or "diversion" means the placement that occurs
6 when a formally recorded apprehension is made by a law enforce-
7 ment agency for an act by a minor that, if a petition were filed
8 with the court, would bring that minor within section ~~2(a) of~~
9 ~~chapter XIIIA of Act No. 288 of the Public Acts of 1939, being~~
10 ~~section 712A.2~~ 9602(2) OF THE REVISED JUDICATURE ACT OF 1961,
11 ACT NO. 236 OF THE PUBLIC ACTS OF 1961, BEING SECTION 600.9602 of
12 the Michigan Compiled Laws, and instead of petitioning the court
13 or authorizing a petition, either of the following occurs:

14 (i) The minor is released into the custody of his or her
15 parent, guardian, or custodian and the investigation is
16 discontinued.

17 (ii) The minor and the minor's parent, guardian, or custo-
18 dian agree to work with a person or public or private organi-
19 zation or agency that will assist the minor and the minor's
20 family in resolving the problem that initiated the
21 investigation.

22 (d) "Law enforcement agency" means a police department of a
23 city, village, or township; a sheriff's department; the depart-
24 ment of state police; or any other governmental law enforcement
25 agency in this state.

26 (e) "Minor" means a person less than 17 years of age.

1 Section 2. This amendatory act shall not take effect unless
2 Senate Bill No. _____ or House Bill No. 4567 (request
3 no. 01659'89) of the 85th Legislature is enacted into law.

4 Section 3. This amendatory act shall take effect January 1,
5 1990.