

SENATE BILL No. 679

November 1, 1989, Introduced by Senators CARL, WELBORN,
DINGELL and POLLACK and referred to the Committee on
Criminal Justice and Urban Affairs.

A bill to amend the title and sections 1, 2, and 9 of Act
No. 214 of the Public Acts of 1963, entitled

"An act to authorize the establishment of regional facilities for
the diagnosis and custody of delinquent and neglected minors;
powers and duties of board of supervisors and department of
social welfare; create board of trustees, powers and duties of;
to authorize taxation for such facilities; to provide penalties;
and to repeal certain acts and parts of acts,"

section 1 as amended by Act No. 77 of the Public Acts of 1988,
being sections 720.651, 720.652, and 720.659 of the Michigan
Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Section 1. The title and sections 1, 2, and 9 of Act
- 2 No. 214 of the Public Acts of 1963, section 1 as amended by Act
- 3 No. 77 of the Public Acts of 1988, being sections 720.651,
- 4 720.652, and 720.659 of the Michigan Compiled Laws, are amended
- 5 to read as follows:

1 TITLE

2 An act to authorize the establishment of regional facilities
3 for the diagnosis and custody of delinquent and neglected minors;
4 TO PROVIDE FOR THE powers and duties of board of supervisors and
5 department of ~~social welfare~~ CHILDREN, YOUTH, AND FAMILY
6 SERVICES; TO create board of trustees, AND THE powers and duties
7 ~~of~~ THEREOF; to authorize taxation for ~~such~~ REGIONAL facili-
8 ties; to provide penalties; and to repeal certain acts and parts
9 of acts.

10 Sec. 1. A county or 2 or more contiguous counties, after
11 approval of the state department of ~~social~~ CHILDREN, YOUTH, AND
12 FAMILY services, may combine together to construct and operate
13 regional facilities for the diagnosis and custody of minors
14 detained under section 14, 15, or 16 of chapter XIIIA of Act
15 No. 288 of the Public Acts of 1939, as amended, being sections
16 712A.14, 712A.15, and 712A.16 of the Michigan Compiled Laws, or
17 under section 27a of chapter IV of the code of criminal proce-
18 dure, Act No. 175 of the Public Acts of 1927, being section
19 764.27a of the Michigan Compiled Laws.

20 Sec. 2. The board of supervisors of any county or any con-
21 tiguous counties, by resolution, may authorize the judge of pro-
22 bate of the county or of the contiguous counties to request the
23 state department of ~~social welfare~~ CHILDREN, YOUTH, AND FAMILY
24 SERVICES to survey the situation and determine the need for a
25 detention home in the area, or ~~whenever~~ IF the judge of probate
26 ~~shall be requested,~~ IS REQUESTED in writing ~~—~~ by 1% but not
27 less than 25 electors of the county to initiate proceedings for

1 the organization of the district for the operation of a regional
 2 detention home. In either event, the judge of probate shall be
 3 authorized to refer the question to the state department of
 4 ~~social welfare~~ CHILDREN, YOUTH; AND FAMILY SERVICES for its
 5 recommendations and approval relative to ALL OF THE FOLLOWING:

6 (1) The size of the district or number of counties to be
 7 served. ~~—;~~

8 (2) The size and type of buildings to be erected. ~~—; and—~~

9 (3) The facilities and operating program to be provided in
 10 ~~such~~ THE home.

11 Sec. 9. The state department of ~~social welfare~~ CHILDREN,
 12 YOUTH, AND FAMILY SERVICES shall supervise and inspect local and
 13 regional facilities and places of detention for juveniles for the
 14 purpose of obtaining facts ~~in a manner pertaining to~~ CONCERNING
 15 the usefulness and proper management of ~~such~~ THE facilities AND
 16 PLACES OF DETENTION, and in promoting proper, efficient, and
 17 humane administration ~~thereof~~ OF THE FACILITIES AND PLACES OF
 18 DETENTION, and shall promulgate rules and standards ~~with rela-~~
 19 ~~tion thereto~~ CONCERNING THE FACILITIES AND PLACES OF DETENTION.
 20 Any reasonable order with respect to such facility may be
 21 enforced through mandamus or injunction by the circuit court of
 22 the county where the facility is located, through proper proceed-
 23 ings instituted by the attorney general on behalf of the depart-
 24 ment OF CHILDREN, YOUTH, AND FAMILY SERVICES. Any superintendent
 25 or employee of any facility subject to inspection under the pro-
 26 visions of this act, who shall refuse to admit any duly
 27 authorized representative of the department of ~~social welfare~~

1 CHILDREN, YOUTH, AND FAMILY SERVICES for the purpose of
2 visitation and inspection, or who shall refuse or neglect to fur-
3 nish the information required by the ~~said~~ department OF CHIL-
4 DREN, YOUTH, AND FAMILY SERVICES, or its duly authorized repre-
5 sentative, shall be guilty of a misdemeanor. The superintendent
6 and staff of each place of detention for juveniles shall keep
7 ~~such~~ THE records with respect to the operation of ~~such~~ THE
8 place of detention as ~~shall be~~ prescribed by the department of
9 ~~social welfare~~ CHILDREN, YOUTH, AND FAMILY SERVICES.

10 Section 2. This amendatory act shall not take effect unless
11 Senate Bill No. 109 of the 85th Legislature is enacted into law.

12 Section 3. This amendatory act shall take effect October 1,
13 1990.