



**House
Legislative
Analysis
Section**

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JUVENILE FELON PLACEMENT

**House Bills 4600 and 4601
Sponsor: Rep. David Galloway
Committee: Judiciary**

Complete to 1-24-94

A SUMMARY OF HOUSE BILLS 4600 AND 4601 AS INTRODUCED 4-1-93

The bills would require the court to hold a hearing before ordering a more restrictive placement for a juvenile who had been placed in a juvenile facility following adjudication for a felony offense. For a juvenile found to have committed any of several specified serious felonies for which "automatic" waiver to adult court occurs by exercise of prosecutorial charging discretion, the hearing would be conducted by the circuit court. For a juvenile who committed a felony offense and remained under the jurisdiction of the juvenile court through adjudication and disposition, the hearing would be conducted by the juvenile court.

House Bill 4600 would amend the Code of Criminal Procedure (MCL 769.1) and make the changes affecting juveniles waived under the mandatory waiver provisions. House Bill 4601 would amend the juvenile code (MCL 712A.18c), and make the changes for juveniles over whom the juvenile court retained jurisdiction.

(Note: a third category of juvenile felony offender would not be affected by the bills. This category is composed of juveniles age 15 or older who are accused of committing a felony and over whom the juvenile court voluntarily waives jurisdiction to the adult court. Such juveniles are not subject to the provisions regarding a dispositional hearing on whether to sentence as a juvenile or an adult; they are sentenced as adults.)

House Bills 4600 and 4601 (1-24-94)