

SENATE BILL No. 1000

February 17, 2004, Introduced by Senators PATTERSON, CROSEY, SANBORN and BISHOP and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11 and 14 of chapter II (MCL 762.11 and 762.14), section 11 as amended by 1993 PA 293 and section 14 as amended by 1994 PA 286.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER II

1
2 Sec. 11. If an individual pleads guilty to a charge of a
3 criminal offense, other than a felony for which the maximum
4 punishment is life imprisonment, a major controlled substance
5 offense, or a traffic offense, committed on or after the
6 individual's seventeenth birthday but before his or her
7 twenty-first birthday, the court of record having jurisdiction of
8 the criminal offense may, without entering a judgment of
9 conviction and with the consent of that individual, consider and

1 assign that individual to the status of youthful trainee, **unless**
2 **the individual has already successfully completed participation**
3 **in a drug treatment court under chapter 10a of the revised**
4 **judicature act of 1961, 1961 PA 236, MCL 600.1060 to 600.1082.**

5 As used in this section, "traffic offense" means a violation of
6 the Michigan vehicle code, ~~Act No. 300 of the Public Acts of~~
7 ~~1949, being sections 257.1 to 257.923 of the Michigan Compiled~~
8 ~~Laws~~ **1949 PA 300, MCL 257.1 to 257.923**, or a violation of a
9 local ordinance substantially corresponding to that act, that
10 involves the operation of a vehicle and, at the time of the
11 violation, is a felony or a misdemeanor.

12 Sec. 14. (1) If consideration of an individual as a
13 youthful trainee is not terminated and the status of youthful
14 trainee is not revoked as provided in section 12 of this chapter,
15 upon final release of the individual from the status as youthful
16 trainee, the court shall discharge the individual and dismiss the
17 proceedings.

18 (2) An assignment of an individual to the status of youthful
19 trainee as provided in this chapter is not a conviction for a
20 crime and, except as provided in subsection (3), the individual
21 assigned to the status of youthful trainee shall not suffer a
22 civil disability or loss of right or privilege following his or
23 her release from that status because of his or her assignment as
24 a youthful trainee.

25 (3) An individual assigned to youthful trainee status for a
26 listed offense enumerated in section 2 of the sex offenders
27 registration act, **1994 PA 295, MCL 28.722**, is required to comply

1 with the requirements of that act.

2 (4) Unless the court enters a judgment of conviction against
3 the individual for the criminal offense under section 12 of this
4 chapter, all proceedings regarding the disposition of the
5 criminal charge and the individual's assignment as youthful
6 trainee shall be closed to public inspection, but shall be open
7 to the courts of this state, the department of corrections, the
8 ~~department of social services, and~~ **family independence agency,**
9 law enforcement personnel, **and prosecuting attorneys** for use only
10 in the performance of their duties.

11 Enacting section 1. This amendatory act does not take
12 effect unless Senate Bill No. 998
13 of the 92nd Legislature is enacted into
14 law.