

SENATE BILL NO. 683

October 07, 2021, Introduced by Senator MACDONALD and referred to the Committee on Judiciary and Public Safety.

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 3 and 5 (MCL 712A.3 and 712A.5), section 3 as amended by 2019 PA 109 and section 5 as amended by 1996 PA 409.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) ~~If~~**For an offense occurring before October 1,**
2 **2021, if** during the pendency of a criminal charge against ~~a person~~
3 **an individual** in any other court it is ascertained **that the**
4 **individual was under the age of 17 at the time of the commission of**
5 **the offense, the other court shall transfer the case without delay,**
6 **together with all the papers, documents, and testimony connected**

1 with that case, to the family division of the circuit court of the
2 county in which the other court is situated or in which the
3 individual resides. For an offense occurring on or after October 1,
4 2021, if during the pendency of a criminal charge against an
5 individual in any other court it is ascertained that the ~~person~~
6 individual was under the age of 18 at the time of the commission of
7 the offense, the other court shall transfer the case without delay,
8 together with all the papers, documents, and testimony connected
9 with that case, to the family division of the circuit court of the
10 county in which the other court is situated or in which the ~~person~~
11 individual resides.

12 (2) The court making the transfer shall order the ~~child~~
13 individual to be taken promptly to the place of detention
14 designated by the family division of the circuit court or to that
15 court itself or release the juvenile in the custody of some
16 suitable person to appear before the court at a time designated.
17 The court shall then hear and dispose of the case in the same
18 manner as if it had been originally instituted in that court.

19 Sec. 5. The court does not have jurisdiction over a ~~juvenile~~
20 an individual after he or she attains the age of ~~18~~ 19 years,
21 except as provided in section 2a of this chapter. A commitment of a
22 juvenile to a private or public institution or agency is not valid
23 after the juvenile has reached the age beyond which the court does
24 not have continuing jurisdiction under section 2a of this chapter.
25 Commitments to a private or incorporated institution or agency do
26 not divest the court of jurisdiction unless the juvenile is adopted
27 in a manner provided by law.