

Act No. 390
Public Acts of 2020
Approved by the Governor
January 4, 2021
Filed with the Secretary of State
January 4, 2021
EFFECTIVE DATE: April 4, 2021

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Senator Santana

ENROLLED SENATE BILL No. 893

AN ACT to amend 1974 PA 150, entitled “An act to provide for the acceptance, care, and discharge of youths committed as public wards; to prescribe the liability for the cost of services for public wards; to prescribe procedures for the return of public wards who absent themselves without permission; to provide a penalty for the violation of this act; and to repeal acts and parts of acts,” by amending section 7 (MCL 803.307), as amended by 1998 PA 517.

The People of the State of Michigan enact:

Sec. 7. (1) A youth accepted by a youth agency remains a public ward until discharged from public wardship with the approval of any of the following and, if placed in an institution, shall remain until released with the approval of any of the following:

(a) If the youth was committed to a youth agency under section 18(1)(e) of chapter XIII of the probate code of 1939, 1939 PA 288, MCL 712A.18, and the youth was adjudicated as being in the court’s jurisdiction under section 2(a) of chapter XIII of the probate code of 1939, 1939 PA 288, MCL 712A.2, with the approval of the family division of circuit court.

(b) If the youth was committed to a youth agency under section 1 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1, with the approval of the court of general criminal jurisdiction under section 1b of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1b.

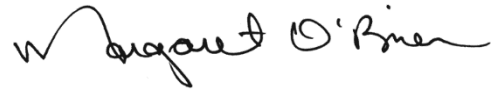
(2) Except as otherwise provided in this section, a youth accepted as a public ward shall be automatically discharged from public wardship upon reaching the age of 19. Except as provided in subsection (3), a youth committed to a youth agency under section 18(1)(e) of chapter XIII of the probate code of 1939, 1939 PA 288, MCL 712A.18, for an offense that, if committed by an adult, would be a violation or attempted violation of section 72, 83, 84, 86, 88, 89, 91, 110a(2), 186a, 316, 317, 349, 520b, 520c, 520d, 520g, 529, 529a, 530, or 531 of the Michigan penal code, 1931 PA 328, MCL 750.72, 750.83, 750.84, 750.86, 750.88, 750.89, 750.91, 750.110a, 750.186a, 750.316, 750.317, 750.349, 750.520b, 750.520c, 750.520d, 750.520g, 750.529, 750.529a, 750.530, and 750.531, or section 7401(2)(a)(i) or 7403(2)(a)(i) of the public health code, 1978 PA 368, MCL 333.7401 and 333.7403, shall be automatically discharged from public wardship upon reaching the age of 21. Except as provided in subsection (4), a youth committed to a youth agency under section 1 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1, shall be automatically discharged from public wardship upon reaching the age of 21.

(3) If the family division of circuit court imposes a delayed sentence on the youth under section 18(1)(p) of chapter XIII of the probate code of 1939, 1939 PA 288, MCL 712A.18, the youth shall be discharged from public wardship and committed under the court’s order.

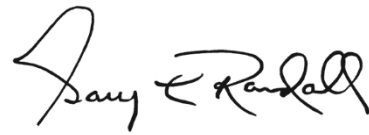
(4) If a court of general criminal jurisdiction sentences the youth to a sentence provided by law for an adult offender under section 1b of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1b, the youth shall be discharged from public wardship and committed under the court's order.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 700 of the 100th Legislature is enacted into law.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor

Compiler's note: Senate Bill No. 700, referred to in enacting section 2, was filed with the Secretary of State January 4, 2021, and became 2020 PA 389, Eff. Apr. 4, 2021.