SUBSTITUTE FOR

SENATE BILL NO. 119

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of corrections for the fiscal year ending September 30, 2016, from the following funds:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY

Average population 44,997

Full-time equated unclassified positions..... 16.0

Full-time equated classified positions..... 14,174.3

1	GROSS APPROPRIATION	$ 1,962,226,000
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and intradepartmental	
4	transfers	225,000
5	ADJUSTED GROSS APPROPRIATION	$ 1,962,001,000
6	Federal revenues:	
7	Total federal revenues	5,568,700
8	Special revenue funds:	
9	Total local revenues	8,533,200
10	Total private revenues	0
11	Total other state restricted revenues	43,950,700
12	State general fund/general purpose	$ 1,903,948,400
13	**Sec. 102. EXECUTIVE**	
14	Full-time equated unclassified positions 16.0	
15	Full-time equated classified positions 20.0	
16	Unclassified positions--16.0 FTE positions	$ 1,750,000
17	Executive direction--20.0 FTE positions	4,127,100
18	GROSS APPROPRIATION	$ 5,877,100
19	Appropriated from:	
20	State general fund/general purpose	$ 5,877,100
21	**Sec. 103. PRISONER REENTRY AND COMMUNITY SUPPORT**	
22	Full-time equated classified positions 339.4	
23	Prisoner reentry local service providers	$ 13,208,600
24	Prisoner reentry MDOC programs	11,124,000
25	Prisoner reentry federal grants	250,000
26	Public safety initiative	4,500,000
27	Reentry services--67.0 FTE positions	14,391,700

1	Education program--272.4 FTE positions	35,852,400
2	Community corrections comprehensive plans and services	12,158,000
3	Felony drunk driver jail reduction and community	
4	treatment program	1,440,100
5	Residential services	15,475,500
6	Goodwill Flip the Script	2,000,000
7	GROSS APPROPRIATION ..... $	110,400,300
8	Appropriated from:	
9	Federal revenues:	
10	DOJ, prisoner reintegration	250,000
11	DED-vocational education equipment	152,200
12	DED-OESE, title I	899,400
13	DED-OVAE, adult education	353,400
14	DED-OSERS	115,200
15	DED, youthful offender/Specter grant	201,900
16	Special revenue funds:	
17	Program and special equipment fund	8,982,900
18	State general fund/general purpose ..... $	99,445,300
19	**Sec. 104. BUDGET AND OPERATIONS ADMINISTRATION**	
20	Full-time equated classified positions..... 172.0	
21	Budget and operations administration--172.0 FTE	
22	positions ..... $	21,946,100
23	New custody staff training	9,079,500
24	Compensatory buyout and union leave bank	100
25	Worker's compensation	14,149,000
26	Rent	2,349,100
27	Equipment and special maintenance	4,359,600

1	Administrative hearings officers	3,326,400
2	Judicial data warehouse user fees	50,000
3	Sheriffs' coordinating and training office	100,000
4	Prosecutorial and detainer expenses	5,001,000
5	County jail reimbursement program	13,597,100
6	GROSS APPROPRIATION	$ 73,957,900
7	Appropriated from:	
8	Special revenue funds:	
9	Jail reimbursement program fund	5,900,000
10	Program and special equipment fund	2,800,000
11	Local corrections officer training fund	100,000
12	Correctional industries revolving fund	600,500
13	State general fund/general purpose	$ 64,557,400
14	**Sec. 105. FIELD OPERATIONS ADMINISTRATION**	
15	Full-time equated classified positions 1,920.9	
16	Field operations--1,887.9 FTE positions	$ 209,458,800
17	Parole board operations--33.0 FTE positions	3,734,900
18	Parole/probation services	940,000
19	Parole sanction certainty pilot program	500,000
20	GROSS APPROPRIATION	$ 214,633,700
21	Appropriated from:	
22	Special revenue funds:	
23	Local - community tether program reimbursement	200,900
24	Reentry center offender reimbursements	23,800
25	Parole and probation oversight fees	4,331,900
26	Parole and probation oversight fees set-aside	940,000
27	Tether program participant contributions	2,426,700

1 State general fund/general purpose	$	206,710,400
2 **Sec. 106. CORRECTIONAL FACILITIES ADMINISTRATION**		
3 Full-time equated classified positions..... 469.0		
4 Correctional facilities administration--22.0 FTE		
5 positions	$	6,259,000
6 Prison food service		52,558,900
7 Transportation--208.0 FTE positions		23,752,200
8 Central records--53.0 FTE positions		5,591,800
9 Inmate legal services		790,900
10 Housing inmates in federal institutions		611,000
11 Prison store operations--63.0 FTE positions		5,649,200
12 Prison industries operations--123.0 FTE positions		9,977,900
13 Federal school lunch program		812,800
14 Leased beds and alternatives to leased beds		5,250,000
15 Public works programs		1,000,000
16 Cost-effective housing initiative		100
17 Inmate housing fund		100
18 GROSS APPROPRIATION	$	112,253,900
19 Appropriated from:		
20 Interdepartmental grant revenues:		
21 IDG-MDHHS, Maxey/Woodland Center food service		225,000
22 Federal revenues:		
23 DAG-FNS, national school lunch		812,800
24 DOJ-BOP, federal prisoner reimbursement		411,000
25 DOJ, prison rape elimination act grant		659,500
26 SSA-SSI, incentive payment		268,000
27 Special revenue funds:		

1 Correctional industries revolving fund 9,977,900
2 Public works user fees 1,000,000
3 Resident stores 5,649,200
4 State general fund/general purpose ..... $ 93,250,500
5 **Sec. 107. HEALTH CARE**
6 Full-time equated classified positions 1,484.9
7 Prisoner health care services ..... $ 75,180,400
8 Vaccination program 691,200
9 Interdepartmental grant to health and human
10 services, eligibility specialists 100,000
11 Healthy Michigan plan administration--12.0 FTE
12 positions 1,076,000
13 Substance abuse testing and treatment services--11.0
14 FTE positions 21,791,300
15 Clinical and mental health services and
16 support--1,461.9 FTE positions 195,566,900
17 GROSS APPROPRIATION ..... $ 294,405,800
18 Appropriated from:
19 Federal revenues:
20 DOJ, Office of Justice Programs, RSAT 185,400
21 Federal revenues and reimbursements 247,900
22 Special revenue funds:
23 Prisoner health care copayments 252,700
24 State general fund/general purpose ..... $ 293,719,800
25 **Sec. 108. CORRECTIONAL FACILITIES**
26 Average population 44,997
27 Full-time equated classified positions 9,768.1

1	Alger Correctional Facility - Munising--260.2 FTE	
2	positions	$ 29,943,600
3	Baraga Correctional Facility - Baraga--295.8 FTE	
4	positions	34,636,600
5	Bellamy Creek Correctional Facility - Ionia--389.2	
6	FTE positions	42,754,300
7	Earnest C. Brooks Correctional Facility -	
8	Muskegon--442.9 FTE positions.....	49,684,800
9	Carson City Correctional Facility - Carson	
10	City--424.4 FTE positions	47,371,800
11	Central Michigan Correctional Facility - St.	
12	Louis--391.6 FTE positions	45,566,600
13	Chippewa Correctional Facility - Kincheloe--435.1	
14	FTE positions	49,228,800
15	Cooper Street Correctional Facility - Jackson--260.1	
16	FTE positions	28,733,600
17	G. Robert Cotton Correctional Facility -	
18	Jackson--390.1 FTE positions	43,194,100
19	Detroit Detention Center--63.1 FTE positions	8,332,300
20	Detroit Reentry Center--215.6 FTE positions	26,772,500
21	Charles E. Egeler Correctional Facility -	
22	Jackson--373.7 FTE positions	43,926,700
23	Richard A. Handlon Correctional Facility -	
24	Ionia--251.7 FTE positions	29,037,900
25	Gus Harrison Correctional Facility - Adrian--441.6	
26	FTE positions	48,151,300
27	Ionia Correctional Facility - Ionia--285.8 FTE	

1 positions 32,910,300
2 Kinross Correctional Facility - Kincheloe--323.8 FTE
3 positions 35,662,100
4 Lakeland Correctional Facility - Coldwater--280.5
5 FTE positions 32,637,200
6 Macomb Correctional Facility - New Haven--294.8 FTE
7 positions 33,853,600
8 Marquette Branch Prison - Marquette--321.7 FTE
9 positions 38,368,400
10 Michigan Reformatory - Ionia--310.7 FTE positions 34,564,800
11 Muskegon Correctional Facility - Muskegon--205.0 FTE
12 positions 24,325,000
13 Newberry Correctional Facility - Newberry--200.1 FTE
14 positions 23,800,300
15 Oaks Correctional Facility - Eastlake--290.4 FTE
16 positions 33,349,500
17 Ojibway Correctional Facility - Marenisco--203.1 FTE
18 positions 22,938,500
19 Parnall Correctional Facility - Jackson--258.0 FTE
20 positions 27,508,600
21 Pugsley Correctional Facility - Kingsley--209.9 FTE
22 positions 24,354,900
23 Saginaw Correctional Facility - Freeland--274.9 FTE
24 positions 32,184,500
25 Special alternative incarceration program - Cassidy
26 Lake--119.0 FTE positions 13,431,500
27 St. Louis Correctional Facility - St. Louis--303.6

FTE positions	35,827,900
Thumb Correctional Facility - Lapeer--284.4 FTE positions	32,340,300
Womens Huron Valley Correctional Complex - Ypsilanti--501.9 FTE positions.....	58,003,600
Woodland Correctional Facility - Whitmore Lake--285.4 FTE positions	32,617,900
Northern region administration and support--48.0 FTE positions	4,425,700
Southern region administration and support--132.0 FTE positions	24,857,000
GROSS APPROPRIATION.....	$ 1,125,296,500
Appropriated from:	
Federal revenues:	
DOJ, state criminal assistance program.....	1,012,000
Special revenue funds:	
Local revenues.....	8,332,300
State restricted fees, revenues and reimbursements ...	99,800
State general fund/general purpose.....	$ 1,115,852,400
Sec. 109. INFORMATION TECHNOLOGY	
Information technology services and projects.....	$ 25,400,800
GROSS APPROPRIATION.....	$ 25,400,800
Appropriated from:	
Special revenue funds:	
Correctional industries revolving fund.....	175,800
Parole and probation oversight fees set-aside.....	689,500
State general fund/general purpose.....	$ 24,535,500

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2015-2016

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2015-2016 is $1,947,899,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2015-2016 is $114,323,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS

Field operations - assumption of county probation staff	$ 60,402,900
Community corrections comprehensive plans and services	12,158,000
Reentry services – intensive detention reentry program	1,500,000
Residential services	15,475,500
County jail reimbursement program	13,597,100
Felony drunk driver jail reduction and community treatment program	1,440,100
Leased beds and alternatives to leased beds	5,250,000
Public safety initiative	4,500,000
TOTAL	$ 114,323,600

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from accommodations provided for inmates who are participating in programs of the facility.

(b) "Cost per prisoner" means the sum total of the funds appropriated under part 1 for the following, divided by the projected prisoner population in fiscal year 2015-2016:

(*i*) Correctional facilities.

(*ii*) Northern and southern region administration and support.

(*iii*) Clinical and mental health services and support.

(*iv*) Prisoner health care services.

(*v*) Vaccination program.

(*vi*) Prison food service and federal school lunch program.

(*vii*) Transportation.

(*viii*) Inmate legal services.

(*ix*) Correctional facilities administration.

(*x*) Central records.

(*xi*) Worker's compensation.

(*xii*) New custody staff training.

(*xiii*) Prison store operations.

(*xiv*) Education program.

(c) "DAG" means the United States Department of Agriculture.

(d) "DAG-FNS" means the DAG Food and Nutrition Service.

(e) "DED" means the United States Department of Education.

(f) "DED-OESE" means the DED Office of Elementary and Secondary Education.

(g) "DED-OSERS" means the DED Office of Special Education and Rehabilitative Services.

(h) "DED-OVAE" means the DED Office of Vocational and Adult Education.

(i) "Department" or "MDOC" means the Michigan department of corrections.

(j) "DOJ" means the United States Department of Justice.

(k) "DOJ-BOP" means the DOJ Bureau of Prisons.

(*l*) "DOJ-OJP" means the DOJ Office of Justice Programs.

(m) "EPIC program" means the department's effective process improvement and communication program.

(n) "Evidence-based practices" or "EBP" means a decision-making process that integrates the best available research, clinician expertise, and client characteristics.

(o) "FTE" means full-time equated.

(p) "Goal" means the intended or projected result of a comprehensive corrections plan or community corrections program to reduce repeat offending, criminogenic and high-risk behaviors, prison commitment rates, to reduce the length of stay in a jail, or to improve the utilization of a jail.

(q) "IDG" means interdepartmental grant.

(r) "Jail" means a facility operated by a local unit of government for the physical detention and correction of persons charged with or convicted of criminal offenses.

(s) "MDHHS" means the Michigan department of health and human services.

(t) "MDSP" means the Michigan department of state police.

(u) "Medicaid benefit" means a benefit paid or payable under a program for medical assistance under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

(v) "Objective risk and needs assessment" means an evaluation of an offender's criminal history; the offender's noncriminal history; and any other factors relevant to the risk the offender would present to the public safety, including, but not limited to, having demonstrated a pattern of violent behavior, and a criminal record that indicates a pattern of violent offenses.

(w) "OCC" means office of community corrections.

(x) "Offender eligibility criteria" means particular criminal violations, state felony sentencing guidelines descriptors, and offender characteristics developed by advisory boards and approved by local units of government that identify the offenders suitable for community corrections programs funded through the office of community corrections.

(y) "Offender success" means that an offender has, with the support of the community, intervention of the field agent, and benefit of any participation in programs and treatment, made an adjustment while at liberty in the community such that he or she has not been sentenced to or returned to prison for the conviction of a new crime or the revocation of probation or parole.

(z) "Offender target population" means felons or misdemeanants who would likely be sentenced to imprisonment in a state correctional facility or jail, who would not likely increase the risk to the public safety based on an objective risk and needs assessment that indicates that the offender can be safely treated

and supervised in the community.

(aa) "Offender who would likely be sentenced to imprisonment" means either of the following:

(*i*) A felon or misdemeanant who receives a sentencing disposition that appears to be in place of incarceration in a state correctional facility or jail, according to historical local sentencing patterns.

(*ii*) A currently incarcerated felon or misdemeanant who is granted early release from incarceration to a community corrections program or who is granted early release from incarceration as a result of a community corrections program.

(bb) "Programmatic success" means that the department program or initiative has ensured that the offender has accomplished all of the following:

(*i*) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities.

(*ii*) Obtained housing.

(*iii*) Obtained a state identification card.

(cc) "Recidivism" means the return of an individual to prison within 3 years after he or she is released either with a new sentence to prison or as a technical violator of parole conditions.

(dd) "RSAT" means residential substance abuse treatment.

(ee) "Serious emotional disturbance" means that term as defined in section 100d(2) of the mental health code, 1974 PA 328, MCL 330.1100d.

(ff) "Serious mental illness" means that term as defined in

1 section 100d(3) of the mental health code, 1974 PA 328, MCL
2 330.1100d.
3 (gg) "SSA" means the United States Social Security
4 Administration.
5 (hh) "SSA-SSI" means SSA supplemental security income.
6 Sec. 206. The department shall not take disciplinary action
7 against an employee or a prisoner for communicating with a member
8 of the legislature or his or her staff.
9 Sec. 208. The department shall use the Internet to fulfill the
10 reporting requirements of this part. This requirement may include
11 transmission of reports via electronic mail to the recipients
12 identified for each reporting requirement or it may include
13 placement of reports on an Internet or intranet site.
14 Sec. 209. Funds appropriated in part 1 shall not be used for
15 the purchase of foreign goods or services, or both, if
16 competitively priced and of comparable quality American goods or
17 services, or both, are available. Preference shall be given to
18 goods or services, or both, manufactured or provided by Michigan
19 businesses, if they are competitively priced and of comparable
20 quality. In addition, preference should be given to goods or
21 services, or both, that are manufactured or provided by Michigan
22 businesses owned and operated by veterans, if they are
23 competitively priced and of comparable quality.
24 Sec. 211. The department may charge fees and collect revenues
25 in excess of appropriations in part 1 not to exceed the cost of
26 offender services and programming, employee meals, parolee loans,
27 academic/vocational services, custody escorts, compassionate

visits, union steward activities, and public works programs and services provided to local units of government or private nonprofit organizations. The revenues and fees collected are appropriated for all expenses associated with these services and activities.

Sec. 212. On a quarterly basis, the department shall report on the number of full-time equated positions in pay status by civil service classification to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, and the senate and house fiscal agencies. This report shall include a detailed accounting of the long-term vacancies that exist within each department. As used in this subsection, "long-term vacancy" means any full-time equated position that has not been filled at any time during the past 24 calendar months.

Sec. 214. The department shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 216. The department shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include the following

information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 219. (1) Any contract for prisoner telephone services entered into after the effective date of this section shall include a condition that fee schedules for prisoner telephone calls, including rates and any surcharges other than those necessary to meet program and special equipment costs, be the same as fee schedules for calls placed from outside of correctional facilities.

(2) Revenues appropriated and collected for program and special equipment funds shall be considered state restricted revenue. Funding will shall be used for prisoner programming, special equipment, and security projects. Unexpended funds remaining at the close of the fiscal year shall not lapse to the general fund but shall be carried forward and be available for appropriation in subsequent fiscal years.

(3) The department shall submit a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director by February 1 outlining revenues and expenditures from program and special equipment funds. The report shall include all of the following:

(a) A list of all individual projects and purchases financed

with program and special equipment funds in the immediately preceding fiscal year, the amounts expended on each project or purchase, and the name of each vendor the products or services were purchased from.

(b) A list of planned projects and purchases to be financed with program and special equipment funds during the current fiscal year, the amounts to be expended on each project or purchase, and the name of each vendor for which the products or services were purchased.

(c) A review of projects and purchases planned for future fiscal years from program and special equipment funds.

Sec. 220. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies.

Sec. 221. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor,

1 including the vendor name, payment date, payment amount, and
2 payment description.
3 (d) The number of active department employees by job
4 classification.
5 (e) Job specifications and wage rates.
6 Sec. 223. (1) In addition to the funds appropriated in part 1,
7 there is appropriated an amount not to exceed $10,000,000.00 for
8 federal contingency funds. These funds are not available for
9 expenditure until they have been transferred to another line item
10 in part 1 under section 393(2) of the management and budget act,
11 1984 PA 431, MCL 18.1393.
12 (2) In addition to the funds appropriated in part 1, there is
13 appropriated an amount not to exceed $10,000,000.00 for state
14 restricted contingency funds. These funds are not available for
15 expenditure until they have been transferred to another line item
16 in part 1 under section 393(2) of the management and budget act,
17 1984 PA 431, MCL 18.1393.
18 (3) In addition to the funds appropriated in part 1, there is
19 appropriated an amount not to exceed $2,000,000.00 for local
20 contingency funds. These funds are not available for expenditure
21 until they have been transferred to another line item in part 1
22 under section 393(2) of the management and budget act, 1984 PA 431,
23 MCL 18.1393.
24 (4) In addition to the funds appropriated in part 1, there is
25 appropriated an amount not to exceed $2,000,000.00 for private
26 contingency funds. These funds are not available for expenditure
27 until they have been transferred to another line item in part 1

under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2015 and September 30, 2016.

Sec. 230. Funds appropriated in part 1 shall not be used by the department to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 231. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 239. It is the intent of the legislature that the department establish and maintain a management-to-staff ratio of not more than 1 supervisor for each 8 employees at the department's central office in Lansing and at both the northern and southern region administration offices.

Sec. 246. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September

30, 2016 are $332,330,600.00. From this amount, total department appropriations for pension-related legacy costs are estimated at $188,628,700.00. Total department appropriations for retiree health care legacy costs are estimated at $143,701,900.00.

Sec. 247. In addition to the metrics required under section 447 of the management and budget act, 1984 PA 431, MCL 18.1447, for each new program or program enhancement for which funds in excess of $500,000.00 are appropriated in part 1, the department shall provide not later than November 1 a list of program-specific metrics intended to measure its performance based on a return on taxpayer investment. The department shall deliver the program-specific metrics to members of the senate and house subcommittees that have subject matter jurisdiction for this budget, the senate and house fiscal agencies, and the state budget director. The department shall provide an update on its progress in tracking program-specific metrics and the status of program success at an appropriations subcommittee meeting called for by the subcommittee chair.

EXECUTIVE

Sec. 301. For 3 years after a felony offender is released from the department's jurisdiction, the department shall maintain the offender's file on the offender tracking information system and make it publicly accessible in the same manner as the file of the current offender. However, the department shall immediately remove the offender's file from the offender tracking information system upon determination that the offender was wrongfully convicted and

the offender's file is not otherwise required to be maintained on the offender tracking information system.

Sec. 304. The director of the department shall maintain a staff savings initiative program to invite employees to submit suggestions for saving costs for the department. The proposed savings initiatives shall be accepted or rejected within 60 business days. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on any savings proposals, the date implemented, the amount of the expected savings, and any process improvements that can be implemented in other areas of the department. The report shall also include any rejected savings proposal and the reason that the proposal was refused.

PRISONER REENTRY AND COMMUNITY SUPPORT

Sec. 401. The department shall submit 3-year and 5-year prison population projection updates concurrent with submission of the executive budget to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director. The report shall include explanations of the methodology and assumptions used in developing the projection updates.

Sec. 402. By March 1, the department shall provide a report on prisoner reentry expenditures and allocations to the members of the senate and house appropriations subcommittees on corrections, the

legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director. At a minimum, the report shall include information on both of the following:

(a) Details on prior-year expenditures, including amounts spent on each project funded, itemized by service provided and service provider.

(b) Allocations and planned expenditures for each project funded and for each project to be funded, itemized by service to be provided and service provider. The department shall provide an amended report quarterly, if any revisions to allocations or planned expenditures occurred during that quarter.

Sec. 403. By February 1, the department shall report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on the department's EPIC program. The report shall include the following: the exact scope and purpose of the EPIC program, the areas of the department that have received any EPIC resources, the line items in part 1 that are expected to recognize savings due to the EPIC program, the identified areas of the department where the EPIC program has changed the department's policy, and the number of the full-time equivalent positions in the department that are assigned to the EPIC program during the prior fiscal year.

Sec. 405. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on substance abuse testing

and treatment program objectives, outcome measures, and results, including program impact on offender success and programmatic success.

Sec. 407. By June 30, the department shall place the statistical report from the immediately preceding calendar year on an Internet site. The statistical report shall include, but not be limited to, the information as provided in the 2004 statistical report.

Sec. 408. The department shall measure the recidivism rates of offenders.

Sec. 409. (1) The department shall engage with the talent investment agency within the department of talent and economic development and local entities to design services and shall use appropriations provided in part 1 for reentry and vocational education programs. The department shall ensure that the collaboration provides relevant professional development opportunities to prisoners to ensure that the programs are high quality, demand driven, locally receptive, and responsive to the needs of communities where the prisoners are expected to reside after their release from correctional facilities. The programs shall begin upon the intake of the prisoner into a department facility.

(2) It is the intent of the legislature that the workforce development programming continue through the entire duration of the prisoner's incarceration to encourage employment upon release.

(3) By March 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the

1 legislative corrections ombudsman, and the senate and house fiscal
2 agencies detailing the results of the workforce development
3 program.
4 Sec. 410. (1) The funds included in part 1 for community
5 corrections comprehensive plans and services are to encourage the
6 development through technical assistance grants, implementation,
7 and operation of community corrections programs that enhance
8 offender success and that also may serve as an alternative to
9 incarceration in a state facility or jail. The comprehensive
10 corrections plans shall include an explanation of how the public
11 safety will be maintained, the goals for the local jurisdiction,
12 offender target populations intended to be affected, offender
13 eligibility criteria for purposes outlined in the plan, and how the
14 plans will meet the following objectives, consistent with section
15 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:
16 (a) Reduce admissions to prison of offenders who would likely
17 be sentenced to imprisonment, including probation violators.
18 (b) Improve the appropriate utilization of jail facilities,
19 the first priority of which is to open jail beds intended to house
20 otherwise prison-bound felons, and the second priority being to
21 appropriately utilize jail beds so that jail crowding does not
22 occur.
23 (c) Open jail beds through the increase of pretrial release
24 options.
25 (d) Reduce the readmission to prison of parole violators.
26 (e) Reduce the admission or readmission to prison of
27 offenders, including probation violators and parole violators, for

1 substance abuse violations.
2 (f) Contribute to offender success.
3 (2) The award of community corrections comprehensive plans and
4 residential services funds shall be based on criteria that include,
5 but are not limited to, the prison commitment rate by category of
6 offenders, trends in prison commitment rates and jail utilization,
7 historical trends in community corrections program capacity and
8 program utilization, and the projected impact and outcome of annual
9 policies and procedures of programs on offender success, prison
10 commitment rates, and jail utilization.
11 (3) Funds awarded for residential services in part 1 shall
12 provide for a per diem reimbursement of not more than $47.50 for
13 nonaccredited facilities, or of not more than $48.50 for facilities
14 that have been accredited by the American Corrections Association
15 or a similar organization as approved by the department.
16 Sec. 411. The comprehensive corrections plans shall also
17 include, where appropriate, descriptive information on the full
18 range of sanctions and services that are available and utilized
19 within the local jurisdiction and an explanation of how jail beds,
20 residential services, the special alternative incarceration
21 program, probation detention centers, the electronic monitoring
22 program for probationers, and treatment and rehabilitative services
23 will be utilized to support the objectives and priorities of the
24 comprehensive corrections plans and the purposes and priorities of
25 section 8(4) of the community corrections act, 1988 PA 511, MCL
26 791.408, that contribute to the success of offenders. The plans
27 shall also include, where appropriate, provisions that detail how

the local communities plan to respond to sentencing guidelines found in chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, and use the county jail reimbursement program under section 414. The state community corrections board shall encourage local community corrections advisory boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the MDCH for the provision of alcohol and drug screening, assessment, case management planning, and delivery of treatment to alcohol- and drug-involved offenders.

Sec. 412. (1) As part of the March biannual report specified in section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412, that requires an analysis of the impact of that act on prison admissions and jail utilization, the department shall submit to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director the following information for each county and counties consolidated for comprehensive corrections plans:

(a) Approved technical assistance grants and comprehensive corrections plans including each program and level of funding, the utilization level of each program, and profile information of enrolled offenders.

(b) If federal funds are made available, the number of participants funded, the number served, the number successfully completing the program, and a summary of the program activity.

(c) Status of the community corrections information system and

1 the jail population information system.
2 (d) Data on residential services, including participant data,
3 participant sentencing guideline scores, program expenditures,
4 average length of stay, and bed utilization data.
5 (e) Offender disposition data by sentencing guideline range,
6 by disposition type, by prior record variable score, by number and
7 percent statewide and by county, current year, and comparisons to
8 the previous 3 years.
9 (f) Data on the use of funding made available under the felony
10 drunk driver jail reduction and community treatment program.
11 (2) The report required under subsection (1) shall include the
12 total funding allocated, program expenditures, required program
13 data, and year-to-date totals.
14 Sec. 413. (1) The department shall identify and coordinate
15 information regarding the availability of and the demand for
16 community corrections programs, jail-based community corrections
17 programs, jail-based probation violation sanctions, and all state-
18 required jail data.
19 (2) The department is responsible for the collection,
20 analysis, and reporting of all state-required jail data.
21 (3) As a prerequisite to participation in the programs and
22 services offered through the department, counties shall provide
23 necessary jail data to the department.
24 Sec. 414. (1) The department shall administer a county jail
25 reimbursement program from the funds appropriated in part 1 for the
26 purpose of reimbursing counties for housing in jails certain felons
27 who otherwise would have been sentenced to prison.

(2) The county jail reimbursement program shall reimburse counties for convicted felons in the custody of the sheriff if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:

(a) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H or a nonperson crime in crime class F under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

(b) The felon's minimum sentencing guidelines range minimum is more than 12 months under the sentencing guidelines described in subdivision (a).

(c) The felon was sentenced to jail for a felony committed while he or she was on parole and under the jurisdiction of the parole board and for which the sentencing guidelines recommended range for the minimum sentence has an upper limit of more than 18 months.

(3) State reimbursement under this subsection shall be $60.00 per diem per diverted offender for offenders with a presumptive prison guideline score, $50.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 1 crime, and $35.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 2 crime. Reimbursements shall be paid for sentences up to a 1-year total.

(4) As used in this subsection:

(a) "Group 1 crime" means a crime in 1 or more of the following offense categories: arson, assault, assaultive other, burglary, criminal sexual conduct, homicide or resulting in death, other sex offenses, robbery, and weapon possession as determined by the department of corrections based on specific crimes for which counties received reimbursement under the county jail reimbursement program in fiscal year 2007 and fiscal year 2008, and listed in the county jail reimbursement program document titled "FY 2007 and FY 2008 Group One Crimes Reimbursed", dated March 31, 2009.

(b) "Group 2 crime" means a crime that is not a group 1 crime, including larceny, fraud, forgery, embezzlement, motor vehicle, malicious destruction of property, controlled substance offense, felony drunk driving, and other nonassaultive offenses.

(c) "In the custody of the sheriff" means that the convicted felon has been sentenced to the county jail and is either housed in the county jail or has been released from jail and is being monitored through the use of the sheriff's electronic monitoring system.

(5) County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. By October 15, the department shall distribute the documentation requirements to all counties.

(6) Any county that receives funding under this section for

the purpose of housing in jails certain felons who otherwise would have been sentenced to prison shall, as a condition of receiving the funding, report by September 30 an annual average jail capacity and annual average jail occupancy for the immediately preceding fiscal year.

Sec. 416. Allowable uses of felony drunk driver jail reduction and community treatment program funding shall include reimbursing counties for transportation, treatment costs, and housing felony drunk drivers during a period of assessment for treatment and case planning. Reimbursements for housing during the assessment process shall be at the rate of $43.50 per day per offender, up to a maximum of 5 days per offender.

Sec. 417. (1) By March 1, the department shall report to the members of the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on each of the following programs from the previous fiscal year:

(a) The county jail reimbursement program.

(b) The felony drunk driver jail reduction and community treatment program.

(c) Any new initiatives to control prison population growth funded or proposed to be funded under part 1.

(2) For each program listed under subsection (1), the report shall include information on each of the following:

(a) Program objectives and outcome measures, including, but not limited to, the number of offenders who successfully completed the program, and the number of offenders who successfully remained

in the community during the 3 years following termination from the program.

(b) Expenditures by location.

(c) The impact on jail utilization.

(d) The impact on prison admissions.

(e) Other information relevant to an evaluation of the program.

Sec. 418. (1) The department shall collaborate with the state court administrative office on facilitating changes to Michigan court rules that would require the court to collect at the time of sentencing the state operator's license, state identification card, or other documentation used to establish the identity of the individual to be admitted to the department. The department shall maintain those documents in the prisoner's personal file.

(2) The department shall cooperate with MDCH to create and maintain a process by which prisoners can obtain their Michigan birth certificates if necessary. The department shall describe a process for obtaining birth certificates from other states, and in situations where the prisoner's effort fails, the department shall assist in obtaining the birth certificate.

(3) The department shall collaborate with the department of military and veterans affairs to create and maintain a process by which prisoners can obtain a copy of their DD Form 214 or other military discharge documentation if necessary.

Sec. 419. (1) The department shall provide weekly electronic mail reports to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate

and house fiscal agencies, and the state budget director on prisoner populations by security levels by facility, prison facility capacities, and parolee and probationer populations.

(2) The department shall provide monthly electronic mail reports to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director. The reports shall include information on end-of-month prisoner populations in county jails, the net operating capacity according to the most recent certification report, identified by date, and end-of-month data, year-to-date data, and comparisons to the prior year for the following:

(a) Community residential program populations, separated by centers and electronic monitoring.

(b) Parole populations.

(c) Probation populations, with identification of the number in special alternative incarceration.

(d) Prison and camp populations, with separate identification of the number in special alternative incarceration and the number of lifers.

(e) Prisoners classified as past their earliest release date.

(f) Parole board activity, including the numbers and percentages of parole grants and parole denials.

(g) Prisoner exits, identifying transfers to community placement, paroles from prisons and camps, paroles from community placement, total movements to parole, prison intake, prisoner deaths, prisoners discharging on the maximum sentence, and other

prisoner exits.

(h) Prison intake and returns, including probation violators, new court commitments, violators with new sentences, escaper new sentences, total prison intake, returns from court with additional sentences, community placement returns, technical parole violator returns, and total returns to prison and camp.

Sec. 421. (1) Funds appropriated in part 1 for the parole sanction certainty pilot program shall be distributed to an American Correctional Association accredited rehabilitation organization operating in any of the following counties: Berrien, Calhoun, Kalamazoo, Macomb, Muskegon, Oakland, and Wayne for operations and administration of the pilot program. The pilot program may be utilized as a condition of parole for technical parole violators to ensure public safety and justice through a program based on evidence-based tactics and programs.

(2) The program or programs selected shall report by March 30 to the department, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director. The report shall include program performance measurements, the number of individuals who participate in the pilot program, the number of individuals who return to prison after participating, and outcomes of participants who complete the program.

Sec. 434. The department shall explore opportunities to collaborate with Michigan colleges and universities on establishing programs that will employ parolees in agricultural settings.

Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip the Script shall be distributed to a Michigan-chartered 501(c)(3) nonprofit corporation operating in a county with greater than 1,500,000 people for administration and expansion of a program which serves a population of persons aged 16 to 29. The program shall target those who are entering the criminal justice system for the first or second time and shall assist those individuals through the following program types:

(a) Alternative sentencing programs in partnership with a local district or circuit court.

(b) Educational recovery for special adult populations with high rates of illiteracy.

(c) Career development and continuing education for women.

(2) The program selected shall report by March 30 to the department, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director. The report shall include program performance measurements, the number of individuals diverted from incarceration, the number of individuals served, and outcomes of participants who complete the program.

BUDGET AND OPERATIONS ADMINISTRATION

Sec. 501. From the funds appropriated in part 1 for prosecutorial and detainer expenses, the department shall reimburse counties for housing and custody of parole violators and offenders being returned by the department from community placement who are available for return to institutional status and for prisoners who

volunteer for placement in a county jail.

Sec. 502. Funds included in part 1 for the sheriffs' coordinating and training office are appropriated for and may be expended to defray costs of continuing education, certification, recertification, decertification, and training of local corrections officers, the personnel and administrative costs of the sheriffs' coordinating and training office, the local corrections officers advisory board, and the sheriffs' coordinating and training council under the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546.

Sec. 505. The department shall provide for the training of all custody staff in effective and safe ways of handling prisoners with mental illness and referring prisoners to mental health treatment programs. Mental health awareness training shall be incorporated into the training and new custody staff.

Sec. 508. The department shall issue a report for all correctional facilities to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the legislative corrections ombudsman by October 1 setting forth the following information for each facility: its name, street address, and date of construction; its current maintenance costs; any maintenance planned; its current utility costs; its expected future capital improvement costs; and its expected future useful life.

Sec. 509. (1) The department shall conduct a study on the Michigan state industries program. The study shall focus on determining which industries within the 10 identified prosperity

regions in this state have the maximum benefit to the prisoner population in providing marketable skills and leading to employable outcomes after release of the prisoner from a department facility. The report shall also include data on the current labor force trends in the prosperity regions of this state and how the operations of Michigan state industries can work in coordination with local communities to determine the industries that would produce the greatest number of employable prisoners upon release.

(2) By December 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the legislative corrections ombudsman detailing the results and recommendations from the study on Michigan state industries described in subsection (1).

Sec. 511. (1) By February 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director which details the strategic plan of the department. The report shall contain strategies to decrease the overall recidivism rate, measurable plans to increase the rehabilitative function of correctional facilities, metrics to track and ensure prisoner readiness to re-enter society, and constructive actions for providing prisoners with life skills development.

(2) The intent of this report is to express that the mission of the department is to provide an action plan before reentry to society that ensures prisoners' readiness for meeting parole

requirements and ensures a reduction in the total number of released inmates who reenter the criminal justice system.

FIELD OPERATIONS ADMINISTRATION

Sec. 601. (1) From the funds appropriated in part 1, the department shall conduct a statewide caseload audit of field agents. The audit shall address public protection issues and assess the ability of the field agents to complete their professional duties. The complete audit shall be submitted to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget office by March 1.

(2) It is the intent of the legislature that the department maintain a number of field agents sufficient to meet supervision and workload standards.

Sec. 603. (1) All prisoners, probationers, and parolees involved with the curfew monitoring program shall reimburse the department for costs associated with their participation in the program. The department may require community service work reimbursement as a means of payment for those able-bodied individuals unable to pay for the costs of the equipment.

(2) Program participant contributions and local program reimbursement for the curfew monitoring program appropriated in part 1 are related to program expenditures and may be used to offset expenditures for this purpose.

(3) Included in the appropriation in part 1 is adequate funding to implement the curfew monitoring program to be

1 administered by the department. The curfew monitoring program is
2 intended to provide sentencing judges and county sheriffs in
3 coordination with local community corrections advisory boards
4 access to the state's curfew monitoring program to reduce prison
5 admissions and improve local jail utilization. The department shall
6 determine the appropriate distribution of the curfew monitor units
7 throughout the state based upon locally developed comprehensive
8 corrections plans under the community corrections act, 1988 PA 511,
9 MCL 791.401 to 791.414.
10 (4) For a fee determined by the department, the department
11 shall provide counties with the curfew monitor equipment,
12 replacement parts, administrative oversight of the equipment's
13 operation, notification of violators, and periodic reports
14 regarding county program participants. Counties are responsible for
15 curfew monitor equipment installation and service. For an
16 additional fee as determined by the department, the department
17 shall provide staff to install and service the equipment. Counties
18 are responsible for the coordination and apprehension of program
19 violators.
20 (5) Any county with curfew monitor charges outstanding over 60
21 days shall be considered in violation of the community curfew
22 monitor program agreement and lose access to the program.
23 Sec. 611. The department shall prepare by March 1 individual
24 reports for the community reentry program, the electronic
25 monitoring program, and the special alternative to incarceration
26 program. The reports shall be submitted to the senate and house
27 appropriations subcommittees on corrections, the legislative

1 corrections ombudsman, the senate and house fiscal agencies, and
2 the state budget director. Each program's report shall include
3 information on all of the following:
4 (a) Monthly new participants by type of offender. Community
5 reentry program participants shall be categorized by reason for
6 placement. For technical rule violators, the report shall sort
7 offenders by length of time since release from prison, by the most
8 recent violation, and by the number of violations occurring since
9 release from prison.
10 (b) Monthly participant unsuccessful terminations, including
11 cause.
12 (c) Number of successful terminations.
13 (d) End month population by facility/program.
14 (e) Average length of placement.
15 (f) Return to prison statistics.
16 (g) Description of each program location or locations,
17 capacity, and staffing.
18 (h) Sentencing guideline scores and actual sentence statistics
19 for participants, if applicable.
20 (i) Comparison with prior year statistics.
21 (j) Analysis of the impact on prison admissions and jail
22 utilization and the cost effectiveness of the program.
23 Sec. 612. (1) The department shall review and revise as
24 necessary policy proposals that provide alternatives to prison for
25 offenders being sentenced to prison as a result of technical
26 probation violations and technical parole violations. To the extent
27 the department has insufficient policies or resources to affect the

continued increase in prison commitments among these offender populations, the department shall explore other policy options to allow for program alternatives, including department or OCC-funded programs, local level programs, and programs available through private agencies that may be used as prison alternatives for these offenders.

(2) By April 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on the number of all parolees returned to prison and probationers sentenced to prison for either a technical violation or new sentence during the preceding fiscal year. The report shall include the following information for probationers, for parolees after their first parole, and for parolees who have been paroled more than once:

(a) The numbers of parole and probation violators returned to or sent to prison for a new crime with a comparison of original versus new offenses by major offense type: assaultive, nonassaultive, drug, and sex.

(b) The numbers of parole and probation violators returned to or sent to prison for a technical violation and the type of violation, including, but not limited to, zero gun tolerance and substance abuse violations. For parole technical rule violators, the report shall list violations by type, by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.

(c) The educational history of those offenders, including how

many had a high school equivalency or high school diploma prior to incarceration in prison, how many received a high school equivalency while in prison, and how many received a vocational certificate while in prison.

(d) The number of offenders who participated in the reentry program versus the number of those who did not.

(e) The unduplicated number of offenders who participated in substance abuse treatment programs, mental health treatment programs, or both, while in prison, itemized by diagnosis.

Sec. 615. The department shall submit a report containing a list detailing the number of prisoners who have received life imprisonment sentences with the possibility of parole and who are currently eligible for parole to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director by January 1.

Sec. 616. The parole board shall review its policies related to the review and parole of those offenders serving a parolable life sentence with consideration given to those that do not pose an ongoing risk to society.

HEALTH CARE

Sec. 802. As a condition of expenditure of the funds appropriated in part 1, the department shall provide the senate and house of representatives appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director with quarterly

reports on physical and mental health care detailing quarterly and fiscal year-to-date expenditures itemized by vendor, allocations, status of payments from contractors to vendors, and projected year-end expenditures from accounts for prisoner health care, mental health care, pharmaceutical services, and durable medical equipment.

Sec. 803. (1) The department shall assure that all prisoners, upon any health care treatment, are given the opportunity to sign a release of information form designating a family member or other individual to whom the department shall release records information regarding a prisoner. A release of information form signed by a prisoner shall remain in effect for 1 year, and the prisoner may elect to withdraw or amend the release form at any time.

(2) The department shall assure that any such signed release forms follow a prisoner upon transfer to another department facility or to the supervision of a parole officer.

(3) The form shall be placed on an online, public website managed by the department.

Sec. 804. The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on prisoner health care utilization. The report shall include the number of inpatient hospital days, outpatient visits, emergency room visits, and prisoners receiving off-site inpatient medical care in the previous quarter, by facility.

Sec. 805. If a prisoner aged 26 years or under is determined

not to be eligible for Medicaid, the department shall determine whether the prisoner is eligible for dependent health insurance coverage.

Sec. 812. (1) The department shall provide the department of health and human services with a monthly list of prisoners newly committed to the department of corrections. The department and the department of health and human services shall enter into an interagency agreement under which the department of health and human services provides the department of corrections with monthly lists of newly committed prisoners who are eligible for Medicaid benefits in order to maintain the process by which Medicaid benefits are suspended rather than terminated. The department shall assist prisoners who may be eligible for Medicaid benefits after release from prison with the Medicaid enrollment process prior to release from prison.

(2) The department shall provide the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director with quarterly updates on the utilization of Medicaid benefits for prisoners.

Sec. 814. The department shall assure that psychotropic medications are available, when deemed medically necessary by a licensed medical service provider, to prisoners who have mental illness diagnoses but are not enrolled in corrections mental health services.

Sec. 816. By April 1, the department shall provide the members of the senate and house appropriations subcommittees on

corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman with a report on pharmaceutical expenditures and prescribing practices. In particular, the report shall provide the following information:

(a) A detailed accounting of expenditures on antipsychotic medications.

(b) Any changes that have been made to the prescription drug formularies.

CORRECTIONAL FACILITIES ADMINISTRATION

Sec. 904. The department shall calculate the per prisoner/per day cost for each prisoner security custody level. This calculation shall include all actual direct and indirect costs for the previous fiscal year, including, but not limited to, the value of services provided to the department by other state agencies and the allocation of statewide legacy costs. To calculate the per prisoner/per day costs, the department shall divide these direct and indirect costs by the average daily population for each custody level. For multilevel facilities, the indirect costs that cannot be accurately allocated to each custody level can be included in the calculation on a per-prisoner basis for each facility. Marginal cost per prisoner by age cohort shall be calculated under the assumptions made by the department under prior marginal cost analysis. A report summarizing these calculations and the direct and indirect costs included in them shall be submitted to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal

agencies, and the state budget director not later than December 15.

Sec. 906. Any local unit of government or private nonprofit organization that contracts with the department for public works services shall be responsible for financing the entire cost of such an agreement.

Sec. 907. The department shall report by March 1 to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on academic and vocational programs. The report shall provide information relevant to an assessment of the department's academic and vocational programs, including, but not limited to, all of the following:

(a) The number of instructors and the number of instructor vacancies, by program and facility.

(b) The number of prisoners enrolled in each program, the number of prisoners completing each program, the number of prisoners who fail each program, the number of prisoners who do not complete each program and the reason for not completing the program, the number of prisoners transferred to another facility while enrolled in a program and the reason for transfer, the number of prisoners enrolled who are repeating the program by reason, and the number of prisoners on waiting lists for each program, all itemized by facility.

(c) The steps the department has undertaken to improve programs, track records, accommodate transfers and prisoners with health care needs, and reduce waiting lists.

(d) The number of prisoners paroled without a high school

diploma and the number of prisoners paroled without a high school equivalency.

(e) An explanation of the value and purpose of each program, for example, to improve employability, reduce recidivism, reduce prisoner idleness, or some combination of these and other factors.

(f) An identification of program outcomes for each academic and vocational program.

(g) An explanation of the department's plans for academic and vocational programs, including plans to contract with intermediate school districts for high school equivalency and high school diploma programs.

(h) The number of prisoners not paroled at their earliest release date due to lack of a high school equivalency, and the reason those prisoners have not obtained a high school equivalency.

Sec. 910. The department shall allow the Michigan Braille transcribing fund program to operate at its current location. The donation of the building by the Michigan Braille transcribing fund at the G. Robert Cotton Correctional Facility in Jackson is acknowledged and appreciated. The department shall continue to encourage the Michigan Braille transcribing fund program to produce high-quality materials for use by the visually impaired.

Sec. 911. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director the number of critical incidents occurring each month by type and the number and severity of assaults, escape attempts, suicides, and attempted suicides

occurring each month at each facility during the immediately preceding calendar year.

Sec. 912. The department shall report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director by March 1 on the ratio of correctional officers to prisoners for each correctional institution, the ratio of shift command staff to line custody staff, and the ratio of noncustody institutional staff to prisoners for each correctional institution.

Sec. 913. (1) It is the intent of the legislature that any prisoner required to complete a violence prevention program, sexual offender program, or other program as a condition of parole shall be transferred to a facility where that program is available in order to accomplish timely completion of that program prior to the expiration of his or her minimum sentence and eligibility for parole. Nothing in this section should be deemed to make parole denial appealable in court.

(2) The department shall submit a quarterly report to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman detailing enrollment in sex offender programming, assaultive offender programming, violent offender programming, and thinking for change. At a minimum, the report shall include the following:

(a) A full accounting of the number of individuals who are required to complete the programming, but have not yet done so.

(b) The number of individuals who have reached their earliest release date, but who have not completed required programming.

(c) A plan of action for addressing any waiting lists or backlogs for programming that may exist.

Sec. 924. The department shall evaluate all prisoners at intake for substance abuse disorders, serious developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness or serious developmental disorders shall not be removed from the general population as a punitive response to behavior caused by their serious mental illness or serious developmental disorder. Due to persistent high violence risk or severe disruptive behavior that is unresponsive to treatment, prisoners with serious mental illness or serious developmental disorders may be placed in secure residential housing programs that will facilitate access to institutional programming and ongoing mental health services. A prisoner with serious mental illness or serious developmental disorder who is confined in these specialized housing programs shall be evaluated or monitored by a medical professional at a frequency of not less than every 12 hours.

Sec. 925. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director on the annual number of prisoners in administrative segregation between October 1, 2014 and September 30, 2015, and the annual number of prisoners in administrative segregation between October 1, 2014 and September

30, 2015 who at any time during the current or prior prison term were diagnosed with serious mental illness or have a developmental disorder and the number of days each of the prisoners with serious mental illness or a developmental disorder have been confined to administrative segregation.

Sec. 929. From the funds appropriated in part 1, the department shall do all of the following:

(a) Ensure that any inmate care and control staff in contact with prisoners less than 18 years of age are adequately trained with regard to the developmental and mental health needs of prisoners less than 18 years of age. By April 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the training curriculum used and the number and types of staff receiving annual training under that curriculum.

(b) Provide appropriate placement for prisoners less than 18 years of age who have serious mental illness, serious emotional disturbance, or a serious developmental disorder and need to be housed separately from the general population. Prisoners less than 18 years of age who have serious mental illness, serious emotional disturbance, or a serious developmental disorder shall not be removed from an existing placement as a punitive response to behavior caused by their serious mental illness, serious emotional disturbance, or a serious developmental disorder. Due to persistent high violence risk or severe disruptive behavior that is unresponsive to treatment, prisoners less than 18 years of age with serious emotional disturbance, serious mental illness, or serious

1 developmental disorders may be placed in secure residential housing
2 programs that will facilitate access to institutional programming
3 and ongoing mental health services. A prisoner less than 18 years
4 of age with serious mental illness, serious emotional disturbance,
5 or a serious developmental disorder who is confined in these
6 specialized housing programs shall be evaluated or monitored by a
7 medical professional at a frequency of not less than every 12
8 hours.
9 (c) Implement a specialized reentry program that recognizes
10 the needs of prisoners less than 18 years old for supervised
11 reentry.
12 Sec. 937. The department shall not issue a request for
13 proposal (RFP) for a contract in excess of $5,000,000.00, unless
14 the department has first considered issuing a request for
15 information (RFI) or a request for qualification (RFQ) relative to
16 that contract to better enable the department to learn more about
17 the market for the products or services that are the subject of the
18 future RFP. The department shall notify the department of
19 technology, management, and budget of the evaluation process used
20 to determine if an RFI or RFQ was not necessary prior to issuing
21 the RFP.
22 Sec. 940. (1) Any lease, rental, contract, or other legal
23 agreement that includes a provision allowing a private person or
24 entity to use state-owned facilities or other property to conduct a
25 for-profit business enterprise shall require the lessee to pay fair
26 market value for the use of the state-owned property.
27 (2) The lease, rental, contract, or other legal agreement

shall also require the party using the property to make a payment in lieu of taxes to the local jurisdictions that would otherwise receive property tax revenue, as if the property were not owned by the state.

Sec. 942. The department shall ensure that any contract with a public or private party to operate a facility to house state prisoners includes a provision to allow access by both the office of the legislative auditor general and the office of the legislative corrections ombudsman to the facility and to appropriate records and documents related to the operation of the facility. These access rights for both offices shall be the same for the contracted facility as for a general state-operated correctional facility.

Sec. 945. The department shall investigate options for increasing the visiting capacity at Central Michigan Correctional Facility - St. Louis in order to ease visiting room overcrowding. The department shall submit a report by April 1 to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director on progress being made to address visiting room overcrowding.

MISCELLANEOUS

Sec. 1009. The department shall make an information packet for the families of incoming prisoners available on the department's website. The information packet shall be updated by February 1 of each year thereafter. The packet shall provide information on

1 topics including, but not limited to: how to put money into
2 prisoner accounts, how to make phone calls or create Jpay email
3 accounts, how to visit in person, proper procedures for filing
4 complaints or grievances, the rights of prisoners to physical and
5 mental health care, how to utilize the offender tracking
6 information system (OTIS), truth-in-sentencing and how it applies
7 to minimum sentences, the parole process, and guidance on the
8 importance of the role of families in the reentry process. The
9 department is encouraged to partner with external advocacy groups
10 and actual families of prisoners in the packet-writing process to
11 ensure that the information is useful and complete.
12 Sec. 1011. The department may accept in-kind services and
13 equipment donations to facilitate the addition of a cable network
14 that provides programming that will address the religious needs of
15 incarcerated individuals. This network may be a cable television
16 network that presently reaches the majority of households in the
17 United States. A bilingual channel affiliated with this network may
18 also be added to department programming to assist the religious
19 needs of Spanish-speaking inmates. The addition of these channels
20 shall be of no additional cost to this state.
21 Sec. 1012. From the funds appropriated in part 1, priority may
22 be given to funding reentry or rehabilitation programs that have
23 been demonstrated to reduce prison violence and recidivism such as
24 faith-based initiatives.

25 PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
FOR FISCAL YEAR 2016-2017

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2017 for the line items listed in part 1. The fiscal year 2016-2017 appropriations are anticipated to be the same as those for fiscal year 2015-2016, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2016 consensus revenue estimating conference.