

SUBSTITUTE FOR
HOUSE BILL NO. 5926

A bill to amend 1953 PA 232, entitled
"Corrections code of 1953,"
by amending section 34d (MCL 791.234d), as amended by 2017 PA 14.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 34d. (1) When a prisoner is released, the department
2 shall issue to that prisoner documents regarding all of the
3 following:

4 (a) The prisoner's criminal convictions.

5 (b) The prisoner's institutional history including all of the
6 following:

7 (i) Any record of institutional misconduct.

8 (ii) Whether the prisoner successfully completed programming
9 provided by the department or a person or entity under contract

1 with the department.

2 (iii) Whether the prisoner obtained a high school equivalency
3 certificate or other educational degree.

4 (iv) The prisoner's institutional work record.

5 (c) Other information considered relevant by the department.

6 (2) In addition to the documents provided under subsection
7 (1), the department shall issue a certificate of employability
8 described in subsection (8) to a prisoner if all of the following
9 apply:

10 (a) The prisoner, **WHILE INCARCERATED**, successfully completed a
11 ~~career and technical education course.~~ **OR EARNED 1 OR MORE OF THE**
12 **FOLLOWING:**

13 (i) **A CAREER AND TECHNICAL EDUCATION COURSE.**

14 (ii) **AT LEAST 36 CREDIT HOURS AT AN ACCREDITED POSTSECONDARY**
15 **EDUCATIONAL INSTITUTION.**

16 (iii) **AN ASSOCIATE OR BACHELOR'S DEGREE FROM AN ACCREDITED**
17 **POSTSECONDARY EDUCATIONAL INSTITUTION IF AT LEAST 50% OF THE CREDIT**
18 **HOURS FOR THAT DEGREE WERE COMPLETED WHILE THE PRISONER WAS**
19 **INCARCERATED.**

20 (b) The prisoner received no major misconducts during the 2
21 years immediately preceding his or her release.

22 (c) The prisoner received no more than 3 minor misconducts
23 during the 2 years immediately preceding his or her release.

24 (d) The prisoner received a silver level or better on his or
25 her national work readiness certificate, or a similar score, as
26 determined by the department, on an alternative job skills
27 assessment test administered by the department.

1 (3) A certificate of employability must only be issued within
2 30 days before the prisoner is released from a correctional
3 facility under section 35 and is valid ~~for 4 years after the date~~
4 ~~it is issued~~ unless ~~otherwise~~ revoked by the department. The
5 department shall revoke the certificate of employability if the
6 prisoner commits any criminal offense during the 30-day period
7 before release and may revoke the certificate of employability if
8 the prisoner has any institutional misconduct during that period.
9 The department shall revoke the certificate of employability of any
10 individual who commits a felony after receiving a certificate of
11 employability under this section and who is then placed under the
12 jurisdiction of the department for committing that felony.

13 (4) The department shall provide an individual with an
14 opportunity to file a grievance related to the revocation of a
15 certificate of employability under subsection (3) through the
16 department's prisoner grievance system. The revocation of a
17 certificate of employability is effective when the individual is
18 notified of the revocation.

19 (5) An individual shall not intentionally state or otherwise
20 represent that he or she has a valid certificate of employability
21 issued by the department knowing that the statement or
22 representation is false. An individual who violates this subsection
23 is guilty of a misdemeanor punishable by imprisonment for not more
24 than 93 days or a fine of not more than \$500.00, or both.

25 (6) The revocation of a certificate of employability is for
26 purposes of subsection (5) only and does not affect the right of an
27 employer to rely on the validity of the certificate of

1 employability unless the employer knew before the individual was
2 employed that the certificate of employability was fraudulent.

3 (7) Upon request, the department shall confirm whether a
4 certificate of employability has been issued to a named individual
5 and whether the certificate is valid at the time of the inquiry and
6 at the time of the department's response to that inquiry.

7 (8) A certificate of employability under this section must be
8 on a form provided by the department.

9 (9) The department is not civilly liable for damages based
10 upon its decision to issue or to deny issuance of a certificate of
11 employability to any prisoner or for revoking or failing to revoke
12 a certificate of employability issued to any prisoner.

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