



**House
Legislative
Analysis
Section**

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**CORRECTIONAL OFFICERS’
TRAINING ACT: REVISE**

**House Bill 6547 (Substitute H-1)
First Analysis (12-10-02)**

**Sponsor: Rep. Randy Richardville
Committee: Criminal Justice**

THE APPARENT PROBLEM:

The House recently passed House Bill 5977, which would, among other things, create the Local Corrections Officers’ Training Act, require the certification of local corrections officers, and create the Local Corrections Officers Advisory Board to develop minimum training standards and requirements for local corrections officers. However, the Corrections Code, as amended by Public Act 415 of 1982, requires the Department of Corrections to establish standards and the creation of a training program for local correctional officers. Legislation is needed to amend the Corrections Code to remove the duplicative provisions.

THE CONTENT OF THE BILL:

The bill would amend the Correctional Officers’ Training Act to revise the definition of “correctional facility”, delete references to local correctional officers, and revise the membership composition of the Correctional Officer’s Training Council.

“Correctional facility” currently refers either to a facility or institution which houses an inmate population under the jurisdiction of the Department of Corrections (DOC) or a municipal or county jail, work camp, lockup, holding center, halfway house, community corrections center, or any other facility maintained by a municipality or county which houses adult prisoners. The bill would eliminate the reference to municipal or county jails, etc. The definition of “local correctional officer” also would be deleted. In addition, the title of the act would be amended to remove references to local correctional officers.

The bill would also decrease the membership of the Correctional Officer’s Training Council from 10 to 8 by eliminating the positions currently held by a member representing local correctional officers and by a member representing local agencies which maintain jails, corrections, or temporary holding facilities. The bill would also change the reference to the Michigan Commission of Corrections to “the

department” and the reference to the Office of Criminal Justice to the “Department of Management and Budget”.

It would take four, instead of five members, to make a written request to the chair of the council to convene a special meeting. Further, the bill would repeal a provision requiring that the council develop minimum standards and requirements for the certification, recertification, and decertification of local correctional officers.

MCL 791.502 et al.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no significant impact on the state or local units of government. (12-9-02)

ARGUMENTS:

For:

The bill’s changes are actually technical in nature. House Bill 5977, which recently was passed by the House, would create a stand-alone act to regulate local correctional officers and provide for minimum standards and training requirements. There no longer is a need for provisions in the Department of Corrections Act, which primarily regulates the department and prison guards, to also provide for the training requirements of local correctional officers who primarily staff county jails.

POSITIONS:

The Department of Corrections supports the bill. (12-10-02)

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

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