

## PAROLE VIOLATION HEARING

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**Senate Bill 1196 (Substitute H-1)**

**Sponsor: Sen. Alan Sanborn**

**House Committee: Judiciary**

**Senate Committee: Judiciary**

**Complete to 6-28-06**

## A SUMMARY OF SENATE BILL 1196 AS REPORTED FROM COMMITTEE 6-28-06

If a paroled prisoner is returned to prison, or available for return to prison, under accusation of a parole violation other than conviction for a felony or misdemeanor punishable by imprisonment, the prisoner is entitled to a fact-finding hearing on the charges within 45 days of being returned. However, the fact-finding hearing may be postponed for cause beyond the 45-day time limit under certain circumstances.

Senate Bill 1196 would amend the Corrections Code (MCL 791.240a) to require the director of the Michigan Department of Corrections (MDOC) or a deputy director designated by the director to be notified in writing if the fact-finding hearing was not conducted within the 45-day time limit; the hearing would then have to be conducted as soon as possible. A parolee held in custody could not be released pending disposition of the hearing.

The bill is tie-barred to House Bill 5967, which would also amend the code to revoke the parole of registered sex offenders and certain drug offenders and require them to be held in custody until a preliminary hearing on the parole violation or a fact-finding hearing on the parole violation could be held.

### **FISCAL IMPACT:**

Because the bill would enact current departmental policy, it would have no fiscal impact.

### **POSITIONS:**

The Michigan Department of Corrections indicated support for the bill. (6-28-06)

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