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BILL ANALYSIS

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Senate Bill 1508 (as introduced 11-28-06)
Sponsor: Senator Michelle A. McManus
Committee: Judiciary

Date Completed: 12-5-06

CONTENT

The bill would amend the prison code to define "corrections officer" and revise the definition of "correctional facility" in a provision pertaining to the enforcement of discipline in a correctional facility.

Under the code, if a prisoner assaults or batters an officer or guard of a correctional facility, another prisoner, or any other person, damages or attempts to damage any part of a correctional facility, attempts to escape, or resists or disobeys any reasonable command, the officers or guards of the facility must use all suitable means to defend himself or herself, enforce discipline, secure the offenders, and prevent any escape. The bill refers to corrections officers, rather than officers or guards of a correctional facility, and refers to a prisoner resisting a lawful, rather than reasonable, command.

The bill would define "corrections officer" as a State correctional officer as defined in the Correctional Officer's Training Act (MCL 791.502) or a local corrections officer as defined in the Local Corrections Officers' Training Act (MCL 791.532). (Under the Correctional Officer's Training Act, "state correctional officer" means any person employed by the Department of Corrections (DOC) as a correctional officer or a corrections medical aide, or that person's immediate supervisor. Under the Local Corrections Officers Training Act, "local corrections officer" means any person employed by a county sheriff in a local correctional facility as a corrections officer or that person's supervisor or administrator.)

As used in these provisions, the code defines "correctional facility" as a facility that houses prisoners committed to the jurisdiction of the DOC, including a youth correctional facility operated by the DOC or a private vendor under the Corrections Code. Under the bill, "correctional facility" instead would mean any of the following:

- A facility that houses prisoners committed to the DOC's jurisdiction.
- A youth correctional facility operated by the DOC.
- A correction facility operated by a private vendor authorized under Michigan law to receive prisoners.

MCL 800.41

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Lindsay Hollander

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.