



Senate Fiscal Agency  
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## BILL ANALYSIS



Telephone: (517) 373-5383  
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House Bill 5273 (Substitute H-1 as reported without amendment)

Sponsor: Representative Dave Pagel

House Committee: Criminal Justice

Senate Committee: Judiciary

**CONTENT**

The bill would amend the Corrections Code to remove a provision under which a person sentenced to life in prison may not be granted parole if the successor to the sentencing judge files written objections when a parole hearing is scheduled.

Under the Code, a person sentenced to imprisonment for life, other than for an offense requiring a sentence of life without parole, is subject to the jurisdiction of the parole board and may be placed on parole after serving a minimum amount of time, which varies between 10 and 20 years depending on the date of the crime, the violation committed, and the prisoner's cooperation with law enforcement.

Parole granted to a person sentenced to life imprisonment is subject to certain conditions. Among those conditions is that a decision to grant or deny parole may not be made until after a public hearing held in the manner prescribed in the Code for pardons and commutations. Notice of the public hearing must be given to the sentencing judge, or the judge's successor in office. Parole may not be granted if the sentencing judge, or the judge's successor, files written objections to the granting of parole within 30 days of receiving the notice of hearing.

Under the bill, parole could not be granted if the sentencing judge filed written objections within 30 days of receiving the notice, but the sentencing judge's objections would bar parole only if he or she were still in office in the court before which the prisoner was convicted and sentenced. The sentencing judge's successor in office could file written objections to parole, but his or her objections would not bar the granting of parole.

The bill would take effect 90 days after its enactment.

MCL 791.234

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on the State and no fiscal impact on local government. By removing one barrier to parole for parolable lifers, the bill could result in more inmates being granted parole, although the additional number is unknown. Lifers who are paroled must be placed on parole for at least four years, and the average cost to supervise a parolee is approximately \$5,260 per year. For any decrease in prisoners, in the short term, the marginal savings to State government would be approximately \$3,764 per prisoner per year. In the long term, if the reduced number of prisoners reduced the total prisoner population enough to allow the Department of Corrections to close a housing unit or an entire facility, the marginal savings to State government would be approximately \$34,550 per prisoner per year.

Date Completed: 9-16-16

Fiscal Analyst: Ryan Bergan

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