

SENATE BILL No. 50

(As amended February 1, 2017)

January 18, 2017, Introduced by Senators BOOHER, O'BRIEN, PROOS, JONES, COLBECK, KNOLLENBERG, HORN, BRANDENBURG, HANSEN, SCHUITMAKER, KOWALL, GREGORY, JOHNSON and WARREN and referred to the Committee on Michigan Competitiveness.

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 65j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 65J. (1) THE DEPARTMENT SHALL IMPLEMENT A COUNTY JAIL BED
2 SAVINGS PROGRAM TO HOUSE ELIGIBLE PRISONERS SENTENCED TO THE
3 CUSTODY OF THE DEPARTMENT IN COUNTY JAILS RATHER THAN IN STATE
4 CORRECTIONAL FACILITIES.

5 (2) A COUNTY MAY VOLUNTEER TO PARTICIPATE IN THE JAIL BED
6 SAVINGS PROGRAM AND HOUSE ELIGIBLE PRISONERS SENTENCED TO THE
7 CUSTODY OF THE DEPARTMENT IN ITS COUNTY JAILS.

8 (3) IF A COUNTY VOLUNTEERS TO PARTICIPATE IN THE JAIL BED
9 SAVINGS PROGRAM, THE DEPARTMENT SHALL REIMBURSE THE COUNTY AT A
<<MINIMUM>>

10 RATE OF \$35.00 PER DAY PER PRISONER. <<HOWEVER, THE LEGISLATURE MAY
NEGOTIATE THE MINIMUM RATE OF REIMBURSEMENT UNDER THIS SUBSECTION WITH
THE COUNTIES PARTICIPATING IN THE JAIL BED SAVINGS PROGRAM AND ALLOT ANY
ADJUSTMENT IN THE MINIMUM RATE PROPORTIONALLY TO THE COUNTIES
PARTICIPATING IN THE JAIL BED SAVINGS PROGRAM UPON APPROPRIATION.>>

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1 (4) IF A COUNTY PARTICIPATING IN THE JAIL BED SAVINGS PROGRAM
2 HAS AVAILABLE BED SPACE IN ITS COUNTY JAIL AND THE DEPARTMENT HAS
3 PRISONERS IN ITS CUSTODY MEETING THE ELIGIBILITY REQUIREMENTS UNDER
4 THIS SECTION, THE DEPARTMENT <<MAY>> PLACE THE ELIGIBLE PRISONERS IN
5 THE COUNTY JAIL.

6 (5) A PRISONER WHO DOES NOT MEET ALL OF THE FOLLOWING
7 ELIGIBILITY REQUIREMENTS SHALL NOT BE PLACED IN A COUNTY JAIL UNDER
8 THIS SECTION:

9 (A) THE PRISONER HAS BEEN GIVEN A LEVEL I CLASSIFICATION BY A
10 DEPARTMENT CLASSIFICATION COMMITTEE ON A SCALE OF 6 LEVELS IN WHICH
11 LEVEL I IS THE LEAST RESTRICTIVE LEVEL.

12 (B) THE PRISONER IS NOT SERVING A SENTENCE FOR CONVICTION OF A
13 VIOLATION OR ATTEMPTED VIOLATION OF SECTION 520B, 520C, 520D, 520E,
14 OR 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520B,
15 750.520C, 750.520D, 750.520E, AND 750.520G.

16 (C) THE PRISONER IS SERVING A FIXED SENTENCE WITH A DETERMINED
17 DISCHARGE DATE.

18 (6) AS USED IN THIS SECTION, "STATE CORRECTIONAL FACILITY"
19 MEANS A FACILITY OR INSTITUTION THAT IS MAINTAINED AND OPERATED, OR
20 CONTRACTED FOR, BY THE DEPARTMENT OF CORRECTIONS AND THAT HOUSES
21 PRISONERS SENTENCED TO THE CUSTODY OF THE DEPARTMENT OF
22 CORRECTIONS.

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