

**SUBSTITUTE FOR
HOUSE BILL NO. 4396**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8
9

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of corrections for the fiscal year ending September 30, 2022, from the following funds:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY

Full-time equated unclassified positions	11.0
Full-time equated classified positions	13,484.4



1	GROSS APPROPRIATION		\$ 2,077,073,000
2	Interdepartmental grant revenues:		
3	Total interdepartmental grants and		
4	intradepartmental transfers		0
5	ADJUSTED GROSS APPROPRIATION		\$ 2,077,073,000
6	Federal revenues:		
7	Total federal revenues		808,364,100
8	Special revenue funds:		
9	Total local revenues		9,646,100
10	Total private revenues		0
11	Total other state restricted revenues		45,493,400
12	State general fund/general purpose		\$ 1,213,569,400
13	Sec. 102. DEPARTMENTAL ADMINISTRATION AND		
14	SUPPORT		
15	Full-time equated unclassified positions	11.0	
16	Full-time equated classified positions	335.0	
17	Unclassified salaries--FTEs	11.0	\$ 1,280,400
18	Administrative hearings officers		3,187,000
19	Budget and operations administration--FTEs	246.0	34,979,500
20	Compensatory buyout and union leave bank		100
21	County jail reimbursement program		14,814,600
22	COVID-19 - reimburse county jails for housing		
23	prisoners		5,000,000
24	COVID-19 - reimburse employees for annual leave		34,000,000
25	Employee wellness programming--FTEs	7.0	2,120,900
26	Equipment and special maintenance		1,559,700
27	Executive direction--FTEs	21.0	4,477,000
28	Judicial data warehouse user fees		50,600



1	New custody staff training		21,166,100
2	Prison industries operations--FTEs	61.0	10,100,600
3	Property management		2,455,100
4	Prosecutorial and detainer expenses		4,801,000
5	Sheriffs' coordinating and training office		100,000
6	Worker's compensation		10,733,300
7	GROSS APPROPRIATION		\$ 150,825,900
8	Appropriated from:		
9	Federal revenues:		
10	Coronavirus state fiscal recovery fund		39,000,000
11	DOJ, prison rape elimination act grant		674,700
12	Special revenue funds:		
13	Correctional industries revolving fund		10,100,600
14	Correctional industries revolving fund 110		721,600
15	Jail reimbursement program fund		5,900,000
16	Local corrections officer training fund		100,000
17	Program and special equipment fund		100
18	State general fund/general purpose		\$ 94,328,900
19	Sec. 103. OFFENDER SUCCESS ADMINISTRATION		
20	Full-time equated classified positions	340.9	
21	Community corrections comprehensive plans and		
22	services		\$ 13,198,100
23	Education/skilled trades/career readiness		
24	programs--FTEs	263.9	38,528,300
25	Enhanced food technology program--FTEs	12.0	1,750,000
26	Goodwill flip the script		1,500,000
27	Offender success community partners		14,500,000
28	Offender success federal grants		751,000



1	Offender success programming		16,772,800
2	Offender success services--FTEs	65.0	17,831,100
3	Public safety initiative		3,500,000
4	Residential probation diversions		16,575,500
5	GROSS APPROPRIATION		\$ 124,906,800
6	Appropriated from:		
7	Federal revenues:		
8	Coronavirus state fiscal recovery fund		1,210,000
9	DOJ, prisoner reintegration		751,000
10	Federal education funding		1,575,200
11	Special revenue funds:		
12	Program and special equipment fund		14,326,000
13	State general fund/general purpose		\$ 107,044,600
14	Sec. 104. FIELD OPERATIONS ADMINISTRATION		
15	Full-time equated classified positions	1,880.5	
16	Criminal justice reinvestment		\$ 3,998,400
17	Field operations--FTEs	1,849.5	221,739,400
18	Parole board operations--FTEs	31.0	3,867,400
19	Parole/probation services		940,000
20	Residential alternative to prison program		1,500,000
21	GROSS APPROPRIATION		\$ 232,045,200
22	Appropriated from:		
23	Federal revenues:		
24	Coronavirus state fiscal recovery fund		249,600
25	Special revenue funds:		
26	Local - community tether program reimbursement		275,000
27	Reentry center offender reimbursements		10,000
28	Supervision fees		6,630,500



1	Supervision fees set-aside		940,000
2	State general fund/general purpose	\$	223,940,100
3	Sec. 105. CORRECTIONAL FACILITIES		
4	ADMINISTRATION		
5	Full-time equated classified positions	660.0	
6	Central records--FTEs	43.0	\$ 4,792,300
7	Correctional facilities administration--FTEs	37.0	6,596,400
8	Housing inmates in federal institutions		511,000
9	Inmate housing fund		100
10	Inmate legal services		290,900
11	Leased beds and alternatives to leased beds		100
12	Prison food service--FTEs	336.0	72,833,200
13	Prison store operations--FTEs	33.0	3,392,300
14	Public works program		1,000,000
15	Transportation--FTEs	211.0	30,850,400
16	GROSS APPROPRIATION	\$	120,266,700
17	Appropriated from:		
18	Federal revenues:		
19	Coronavirus state fiscal recovery fund		20,520,800
20	DOJ-BOP, federal prisoner reimbursement		411,000
21	SSA-SSI, incentive payment		272,000
22	Special revenue funds:		
23	Correctional industries revolving fund 110		663,400
24	Public works user fees		1,000,000
25	Resident stores		3,392,300
26	State general fund/general purpose	\$	94,007,200
27	Sec. 106. HEALTH CARE		
28	Full-time equated classified positions	1,469.3	



1	Clinical complexes--FTEs	1,033.3	\$	148,457,900
2	Health care administration--FTEs	17.0		3,459,500
3	Healthy Michigan plan administration--FTEs	12.0		993,200
4	Hepatitis C treatment			8,810,700
5	Interdepartmental grant to health and human			
6	services, eligibility specialists			120,200
7	Mental health and substance abuse treatment			
8	services--FTEs	407.0		52,167,800
9	Prisoner health care services			94,793,600
10	Vaccination program			691,200
11	GROSS APPROPRIATION		\$	309,494,100
12	Appropriated from:			
13	Federal revenues:			
14	Coronavirus state fiscal recovery fund			113,586,000
15	DOJ, Office of Justice Programs, RSAT			250,200
16	Federal revenues and reimbursements			395,200
17	Special revenue funds:			
18	Prisoner health care copayments			257,200
19	State general fund/general purpose		\$	195,005,500
20	Sec. 107. CORRECTIONAL FACILITIES			
21	Full-time equated classified positions	8,798.7		
22	Alger Correctional Facility - Munising--FTEs	259.0	\$	32,062,300
23	Baraga Correctional Facility - Baraga--FTEs	295.8		38,174,700
24	Bellamy Creek Correctional Facility - Ionia--			
25	FTEs	392.2		46,870,400
26	Carson City Correctional Facility - Carson			
27	City--FTEs	421.4		51,347,100



1	Central Michigan Correctional Facility - St.		
2	Louis--FTEs	386.6	48,651,500
3	Charles E. Egeler Correctional Facility -		
4	Jackson--FTEs	386.6	48,082,700
5	Chippewa Correctional Facility - Kincheloe--		
6	FTEs	443.6	54,172,600
7	Cooper Street Correctional Facility - Jackson--		
8	FTEs	254.6	31,028,600
9	Detroit Detention Center--FTEs	69.1	9,371,100
10	Earnest C. Brooks Correctional Facility -		
11	Muskegon--FTEs	248.2	31,973,300
12	G. Robert Cotton Correctional Facility -		
13	Jackson--FTEs	395.0	47,720,200
14	Gus Harrison Correctional Facility - Adrian--		
15	FTEs	443.6	52,960,900
16	Ionia Correctional Facility - Ionia--FTEs	288.3	36,284,700
17	Kinross Correctional Facility - Kincheloe--FTEs	258.6	34,558,400
18	Lakeland Correctional Facility - Coldwater--		
19	FTEs	275.4	34,910,900
20	Macomb Correctional Facility - New Haven--FTEs	313.3	38,667,900
21	Marquette Branch Prison - Marquette--FTEs	319.7	40,008,400
22	Michigan Reformatory - Ionia--FTEs	319.8	37,583,000
23	Muskegon Correctional Facility - Muskegon--FTEs	208.0	27,868,000
24	Newberry Correctional Facility - Newberry--FTEs	199.1	25,831,000
25	Oaks Correctional Facility - Eastlake--FTEs	289.4	36,901,200
26	Parnall Correctional Facility - Jackson--FTEs	266.1	30,865,900
27	Richard A. Handlon Correctional Facility -		
28	Ionia--FTEs	255.7	32,651,500



1	Saginaw Correctional Facility - Freeland--FTEs	276.9	35,235,000
2	Special Alternative Incarceration Program -		
3	Jackson--FTEs	33.5	5,905,800
4	St. Louis Correctional Facility - St. Louis--		
5	FTEs	306.6	39,979,700
6	Thumb Correctional Facility - Lapeer--FTEs	283.6	35,580,100
7	Womens Huron Valley Correctional Complex -		
8	Ypsilanti--FTEs	505.1	63,075,100
9	Woodland Correctional Facility - Whitmore Lake-		
10	-FTEs	296.9	36,473,900
11	Northern region administration and support--		
12	FTEs	43.0	4,495,800
13	Southern region administration and support--		
14	FTEs	64.0	19,160,400
15	GROSS APPROPRIATION		\$ 1,108,452,100
16	Appropriated from:		
17	Federal revenues:		
18	Coronavirus state fiscal recovery fund		628,433,600
19	DOJ, state criminal assistance program		1,034,800
20	Special revenue funds:		
21	Local revenues		9,371,100
22	State restricted fees, revenues, and		
23	reimbursements		102,100
24	State general fund/general purpose		\$ 469,510,500
25	Sec. 108. INFORMATION TECHNOLOGY		
26	Information technology services and projects		\$ 31,082,200
27	GROSS APPROPRIATION		\$ 31,082,200
28	Appropriated from:		



1	Special revenue funds:	
2	Correctional industries revolving fund 110	182,000
3	Program and special equipment fund	452,800
4	Supervision fees set-aside	714,800
5	State general fund/general purpose	\$ 29,732,600

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2021-2022

GENERAL SECTIONS

11 Sec. 201. Pursuant to section 30 of article IX of the state
12 constitution of 1963, total state spending from state sources under
13 part 1 for fiscal year 2021-2022 is \$1,259,062,800.00 and state
14 spending from state sources to be paid to local units of government
15 for fiscal year 2021-2022 is \$122,395,500.00. The itemized
16 statement below identifies appropriations from which spending to
17 local units of government will occur:

DEPARTMENT OF CORRECTIONS

18	DEPARTMENT OF CORRECTIONS	
19	Community corrections comprehensive plans and	
20	services	\$ 13,198,100
21	County jail reimbursement program	14,814,600
22	Field Operations	68,006,200
23	Leased beds and alternatives to leased beds	100
24	Prosecutorial and detainer expenses	4,801,000
25	Public safety initiative	3,500,000
26	Residential alternative to prison program	1,500,000
27	Residential probation diversions	16,575,500
28	TOTAL	\$ 122,395,500

29 Sec. 202. The appropriations authorized under this part and



1 part 1 are subject to the management and budget act, 1984 PA 431,
2 MCL 18.1101 to 18.1594.

3 Sec. 203. As used in this part and part 1:

4 (a) "Administrative segregation" means confinement for
5 maintenance of order or discipline to a cell or room apart from
6 accommodations provided for inmates who are participating in
7 programs of the facility.

8 (b) "Cost per prisoner" means the sum total of the funds
9 appropriated under part 1 for the following, divided by the
10 projected prisoner population in fiscal year 2021-2022:

- 11 (i) New custody staff training.
- 12 (ii) Education/skilled trades/career readiness programs.
- 13 (iii) Enhanced food technology program.
- 14 (iv) Offender success programming.
- 15 (v) Central records.
- 16 (vi) Correctional facilities administration.
- 17 (vii) Inmate legal services.
- 18 (viii) Prison food service.
- 19 (ix) Prison store operations.
- 20 (x) Transportation.
- 21 (xi) Clinical complexes.
- 22 (xii) Hepatitis C treatment.
- 23 (xiii) Mental health and substance abuse treatment services.
- 24 (xiv) Prisoner health care services.
- 25 (xv) Vaccination program.
- 26 (xvi) Correctional facilities.
- 27 (xvii) Northern and southern region administration and support.
- 28 (c) "Department" or "MDOC" means the Michigan department of



1 corrections.

2 (d) "DOJ" means the United States Department of Justice.

3 (e) "DOJ-BOP" means the DOJ Bureau of Prisons.

4 (f) "Evidence-based" means a decision-making process that
5 integrates the best available research, clinician expertise, and
6 client characteristics.

7 (g) Federally-qualified health center" means that term as
8 defined in section 1396d(l) (2) (B) of the social security act, 42 USC
9 1396d.

10 (h) "FTE" means full-time equated.

11 (i) "Goal" means the intended or projected result of a
12 comprehensive corrections plan or community corrections program to
13 reduce repeat offending, criminogenic and high-risk behaviors,
14 prison commitment rates, the length of stay in a jail, or to
15 improve the utilization of a jail.

16 (j) "Jail" means a facility operated by a local unit of
17 government for the physical detention and correction of persons
18 charged with or convicted of criminal offenses.

19 (k) "MDHHS" means the Michigan department of health and human
20 services.

21 (l) "Objective risk and needs assessment" means an evaluation
22 of an offender's criminal history; the offender's noncriminal
23 history; and any other factors relevant to the risk the offender
24 would present to the public safety, including, but not limited to,
25 having demonstrated a pattern of violent behavior, and a criminal
26 record that indicates a pattern of violent offenses.

27 (m) "OCC" means the office of community corrections.

28 (n) "Offender success" means that an offender has, with the
29 support of the community, intervention of the field agent, and



1 benefit of any participation in programs and treatment, made an
2 adjustment while at liberty in the community such that he or she
3 has not been sentenced to or returned to prison for the conviction
4 of a new crime or the revocation of probation or parole.

5 (o) "Recidivism" means that term as defined in section 1 of
6 2017 PA 5, MCL 798.31.

7 (p) "RSAT" means residential substance abuse treatment.

8 (q) "Serious emotional disturbance" means that term as defined
9 in section 100d(2) of the mental health code, 1974 PA 258, MCL
10 330.1100d.

11 (r) "Serious mental illness" means that term as defined in
12 section 100d(3) of the mental health code, 1974 PA 258, MCL
13 330.1100d.

14 (s) "SSA" means the United States Social Security
15 Administration.

16 (t) "SSA-SSI" means SSA supplemental security income.

17 Sec. 204. The department shall use the internet to fulfill the
18 reporting requirements of this part. This requirement shall include
19 transmission of reports via email to the recipients identified for
20 each reporting requirement and it shall include placement of
21 reports on an internet site.

22 Sec. 205. Funds appropriated in part 1 shall not be used for
23 the purchase of foreign goods or services, or both, if
24 competitively priced and of comparable quality American goods or
25 services, or both, are available. Preference shall be given to
26 goods or services, or both, manufactured or provided by Michigan
27 businesses, if they are competitively priced and of comparable
28 quality. In addition, preference shall be given to goods or
29 services, or both, that are manufactured or provided by Michigan



1 businesses owned and operated by veterans, if they are
2 competitively priced and of comparable quality.

3 Sec. 206. The department shall not take disciplinary action
4 against an employee of the department in the state classified civil
5 service, or a prisoner, for communicating with a member of the
6 legislature or his or her staff, unless the communication is
7 prohibited by law and the department is exercising its authority as
8 provided by law.

9 Sec. 207. The department shall prepare a report on out-of-
10 state travel expenses not later than January 1 of each year. The
11 travel report shall be a listing of all travel by classified and
12 unclassified employees outside this state in the immediately
13 preceding fiscal year that was funded in whole or in part with
14 funds appropriated in the department's budget. The report shall be
15 submitted to the senate and house appropriations committees, the
16 senate and house fiscal agencies, and the state budget office. The
17 report shall include the following information:

18 (a) The dates of each travel occurrence.

19 (b) The total transportation and related costs of each travel
20 occurrence, including the proportion funded with state general
21 fund/general purpose revenues, the proportion funded with state
22 restricted revenues, the proportion funded with federal revenues,
23 and the proportion funded with other revenues.

24 Sec. 208. Funds appropriated in part 1 shall not be used by
25 the department to hire a person to provide legal services that are
26 the responsibility of the attorney general. This prohibition does
27 not apply to legal services for bonding activities and for those
28 outside services that the attorney general authorizes.

29 Sec. 209. Not later than November 30, the state budget office



1 shall prepare and transmit a report that provides for estimates of
2 the total general fund/general purpose appropriation lapses at the
3 close of the prior fiscal year. This report shall summarize the
4 projected year-end general fund/general purpose appropriation
5 lapses by major departmental program or program areas. The report
6 shall be transmitted to the chairpersons of the senate and house
7 appropriations committees and the senate and house fiscal agencies.

8 Sec. 210. In addition to the funds appropriated in part 1,
9 there is appropriated an amount not to exceed \$2,500,000.00 for
10 federal contingency authorization. These funds are not available
11 for expenditure until they have been transferred to another line
12 item in part 1 under section 393(2) of the management and budget
13 act, 1984 PA 431, MCL 18.1393.

14 Sec. 211. The department shall cooperate with the department
15 of technology, management, and budget to maintain a searchable
16 website accessible by the public at no cost that includes, but is
17 not limited to, all of the following for the department:

- 18 (a) Fiscal year-to-date expenditures by category.
19 (b) Fiscal year-to-date expenditures by appropriation unit.
20 (c) Fiscal year-to-date payments to a selected vendor,
21 including the vendor name, payment date, payment amount, and
22 payment description.
23 (d) The number of active department employees by job
24 classification.
25 (e) Job specifications and wage rates.

26 Sec. 212. Within 14 days after the release of the executive
27 budget recommendation, the department shall cooperate with the
28 state budget office to provide the chairpersons of the senate and
29 house appropriations committees, the chairpersons of the senate and



1 house appropriations subcommittees on corrections, and the senate
2 and house fiscal agencies with an annual report on estimated state
3 restricted fund balances, state restricted fund projected revenues,
4 and state restricted fund expenditures for the prior 2 fiscal
5 years.

6 Sec. 213. The department shall maintain, on a publicly
7 accessible website, a department scorecard that identifies, tracks,
8 and regularly updates key metrics that are used to monitor and
9 improve the department's performance.

10 Sec. 214. Total authorized appropriations from all sources
11 under part 1 for legacy costs for the fiscal year ending September
12 30, 2022 are estimated at \$279,249,700.00. From this amount, total
13 department appropriations for pension-related legacy costs are
14 estimated at \$156,450,700.00. Total department appropriations for
15 retiree health care legacy costs are estimated at \$122,799,000.00.

16 Sec. 215. To the extent permissible under the management and
17 budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall
18 take all reasonable steps to ensure businesses in deprived and
19 depressed communities compete for and perform contracts to provide
20 services or supplies, or both. The director shall strongly
21 encourage firms with which the department contracts to subcontract
22 with certified businesses in depressed and deprived communities for
23 services, supplies, or both.

24 Sec. 216. (1) On a quarterly basis, the department shall
25 report on the number of full-time equated positions in pay status
26 by civil service classification, including the number of full-time
27 equated positions in pay status by civil service classification for
28 each correctional facility, to the senate and house appropriations
29 committees, the senate and house appropriations subcommittees on



1 corrections, the senate and house fiscal agencies, the legislative
2 corrections ombudsman, and the state budget office. This report
3 must include the following:

4 (a) A comparison by line item of the number of full-time
5 equated positions authorized from funds appropriated in part 1 to
6 the actual number of full-time equated positions employed by the
7 department at the end of the reporting period.

8 (b) A detailed accounting of all vacant positions that exist
9 within the department.

10 (c) A detailed accounting of all correction officer positions
11 at each correctional facility, including positions that are filled
12 and vacant positions, by facility.

13 (d) A detailed accounting of all vacant positions that are
14 health care-related.

15 (e) A detailed accounting of vacant positions that are being
16 held open for temporarily nonactive employees.

17 (2) By April 1 of the current fiscal year and semiannually
18 thereafter, the department shall report to the senate and house
19 appropriations committees, the senate and house appropriations
20 subcommittees on corrections, the senate and house fiscal agencies,
21 the legislative corrections ombudsman, and the state budget office,
22 the following information:

23 (a) Number of employees that were engaged in remote work in
24 2021.

25 (b) Number of employees authorized to work remotely and the
26 actual number of those working remotely in the current reporting
27 period.

28 (c) Estimated net cost savings achieved by remote work.

29 (d) Reduced use of office space associated with remote work.



1 (3) As used in this section, "vacant position" means any
2 position that has not been filled at any time during the past 12
3 calendar months.

4 Sec. 218. If the state administrative board, acting under
5 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
6 appropriated under this article, the legislature may, by a
7 concurrent resolution adopted by a majority of the members elected
8 to and serving in each house, inter-transfer funds within this
9 article for the particular department, board, commission, officer,
10 or institution.

11 Sec. 219. (1) Any contract for prisoner telephone services
12 entered into after the effective date of this section shall include
13 a condition that fee schedules for prisoner telephone calls,
14 including rates and any surcharges other than those necessary to
15 meet program and special equipment costs, be the same as fee
16 schedules for calls placed from outside of correctional facilities.

17 (2) Revenues appropriated and collected for program and
18 special equipment funds shall be considered state restricted
19 revenue. Funding shall be used for prisoner programming, special
20 equipment, and security projects. Not less than 75% of funding
21 shall be used for prisoner programming. Unexpended funds remaining
22 at the close of the fiscal year shall not lapse to the general fund
23 but shall be carried forward and be available for appropriation in
24 subsequent fiscal years.

25 (3) The department shall submit a report to the senate and
26 house appropriations subcommittees on corrections, the senate and
27 house fiscal agencies, the legislative corrections ombudsman, and
28 the state budget office by February 1 outlining revenues and
29 expenditures from program and special equipment funds. The report



1 shall include all of the following:

2 (a) A list of all individual projects and purchases financed
3 with program and special equipment funds in the immediately
4 preceding fiscal year, the amounts expended on each project or
5 purchase, and the name of each vendor from which the products or
6 services were purchased.

7 (b) A list of planned projects and purchases to be financed
8 with program and special equipment funds during the current fiscal
9 year, the amounts to be expended on each project or purchase, and
10 the name of each vendor from which the products or services will be
11 purchased.

12 (c) A review of projects and purchases planned for future
13 fiscal years from program and special equipment funds.

14 Sec. 220. The department may charge fees and collect revenues
15 in excess of appropriations in part 1 not to exceed the cost of
16 offender services and programming, employee meals, parolee loans,
17 academic/vocational services, custody escorts, compassionate
18 visits, union steward activities, and public works programs and
19 services provided to local units of government or private nonprofit
20 organizations. The revenues and fees collected are appropriated for
21 all expenses associated with these services and activities.

22 Sec. 221. The department shall receive and retain copies of
23 all reports funded from appropriations in part 1. Federal and state
24 guidelines for short-term and long-term retention of records shall
25 be followed. The department may electronically retain copies of
26 reports unless otherwise required by federal and state guidelines.

27 Sec. 223. (1) From the funds appropriated in part 1, the
28 department shall do the following:

29 (a) Report to the senate and house appropriations committees,



1 the senate and house fiscal agencies, the senate and house policy
2 offices, and the state budget office any amounts of severance pay
3 for a department director, deputy director, or other high-ranking
4 department official not later than 14 days after a severance
5 agreement with the director or official is signed. The name of the
6 director or official and the amount of severance pay must be
7 included in the report required by this subdivision.

8 (b) Maintain an internet site that posts any severance pay in
9 excess of 6 weeks of wages, regardless of the position held by the
10 former department employee receiving severance pay.

11 (c) By February 1, report to the senate and house
12 appropriations subcommittees, the senate and house fiscal agencies,
13 the senate and house policy offices, and the state budget office on
14 the total amount of severance pay remitted to former department
15 employees during the fiscal year ending September 30, 2021 and the
16 total number of former department employees that were remitted
17 severance pay during the fiscal year ending September 30, 2021.

18 (2) As used in this section, "severance pay" means
19 compensation that is both payable or paid upon the termination of
20 employment and in addition to either wages or benefits earned
21 during the course of employment or generally applicable retirement
22 benefits.

23 Sec. 224. Any department, agency, board, commission,
24 subdivision, or other executive branch entity or official of this
25 state that receives funding under part 1 shall not do the
26 following:

27 (a) Require as a condition of accessing any state services or
28 facilities that an individual provide proof that he or she has
29 received a COVID-19 vaccine.



1 (b) Produce, develop, and issue a COVID-19 vaccine passport
 2 for the purpose of certifying that an individual has received a
 3 COVID-19 vaccine.

4 (c) Provide information of an individual's COVID-19 vaccine
 5 status to any person, company, or governmental entity for inclusion
 6 in a COVID-19 vaccine passport.

7 Sec. 225. Appropriations in part 1 shall, to the extent
 8 possible by the department, not be expended until all existing work
 9 project authorization available for the same purposes is exhausted.

10 Sec. 239. It is the intent of the legislature that the
 11 department establish and maintain a management-to-staff ratio of
 12 not more than 1 supervisor for each 8 employees at the department's
 13 central office in Lansing and at both the northern and southern
 14 region administration offices.

15

16 **DEPARTMENTAL ADMINISTRATION AND SUPPORT**

17 Sec. 301. For 3 years after a felony offender is released from
 18 the department's jurisdiction, the department shall maintain the
 19 offender's file on the offender tracking information system and
 20 make it publicly accessible in the same manner as the file of the
 21 current offender. However, the department shall immediately remove
 22 the offender's file from the offender tracking information system
 23 upon determination that the offender was wrongfully convicted and
 24 the offender's file is not otherwise required to be maintained on
 25 the offender tracking information system.

26 Sec. 302. (1) From the funds appropriated in part 1, the
 27 department shall submit a report by March 1 on the department's
 28 staff retention strategies to the senate and house appropriations
 29 subcommittees on corrections, the senate and house committees on



1 oversight, the senate and house fiscal agencies, the legislative
2 corrections ombudsman, and the state budget office. The report must
3 include, but not be limited to, the following:

4 (a) The department's strategies on how to improve employee
5 engagement, how to improve employee wellness, and how to offer
6 additional training and professional development for employees,
7 including metrics the department is using to measure success of
8 employee wellness programming.

9 (b) Mechanisms by which the department receives employee
10 feedback in areas under subdivision (a) and how the department
11 considers suggestions made by employees.

12 (c) Steps the department has taken, and future plans and goals
13 the department has for retention and improving employee wellness.

14 (2) The department shall establish a staff recruitment and
15 retention advisory board that is similar to the wellness program
16 advisory board. At a minimum, the staff recruitment and retention
17 advisory board shall consist of representatives from the
18 department's human resources section, the department's legal
19 department, department-affiliated unions selected by the union, and
20 the department's nonexclusively represented employees. The board
21 shall meet quarterly and serve to assist the department with
22 shaping and enhancing effectiveness of staff recruiting and
23 retention strategies. The department shall submit a status report
24 by April 1 on the creation of the board and the board's initial
25 plans to the senate and house appropriations subcommittees on
26 corrections, the senate and house committees on oversight, the
27 senate and house fiscal agencies, the legislative corrections
28 ombudsman, and the state budget office.

29 Sec. 303. From the funds appropriated in part 1, the



1 department shall submit a report by March 1 on the number of
2 employee departures to the senate and house appropriations
3 subcommittees on corrections, the senate and house committees on
4 oversight, the senate and house fiscal agencies, the legislative
5 corrections ombudsman, and the state budget office. The report must
6 include the number of corrections officers that departed from
7 employment at a state correctional facility in the immediately
8 preceding fiscal year and the number of years they worked for the
9 department. The report shall include a chart that shows the normal
10 distribution of employee departures in these positions based on
11 years of service. Years of service shall be grouped into the
12 following ranges: 1 to 3 years, 3 to 5 years, 5 to 10 years, 10 to
13 15 years, 15 to 20 years, and 20 and more years. The department
14 shall review all reasons for employee departures and summarize in
15 the report the primary reasons for departure for each of the ranges
16 of years of service based on the available responses. The report
17 shall include a section that shows the distinction between recruits
18 who are in-training at the academy that depart employment, recruits
19 who are in-training at a facility that depart employment, and
20 employees who have been on the job that depart employment.

21 Sec. 305. From the funds appropriated in part 1 for
22 prosecutorial and detainer expenses, the department shall reimburse
23 counties for housing and custody of parole violators and offenders
24 being returned by the department from community placement who are
25 available for return to institutional status and for prisoners who
26 volunteer for placement in a county jail.

27 Sec. 306. Funds included in part 1 for the sheriffs'
28 coordinating and training office are appropriated for and may be
29 expended to defray costs of continuing education, certification,



1 recertification, decertification, and training of local corrections
2 officers, the personnel and administrative costs of the sheriffs'
3 coordinating and training office, the local corrections officers
4 advisory board, and the sheriffs' coordinating and training council
5 under the local corrections officers training act, 2003 PA 125, MCL
6 791.531 to 791.546.

7 Sec. 307. The department shall issue a biannual report for all
8 vendor contracts to the senate and house appropriations
9 subcommittees on corrections, the senate and house fiscal agencies,
10 the legislative corrections ombudsman, and the state budget office.
11 The report shall cover service contracts with a value of
12 \$500,000.00 or more and include all of the following:

13 (a) The original start date and the current expiration date of
14 each contract.

15 (b) The number, if any, of contract compliance monitoring site
16 visits completed by the department for each vendor.

17 (c) The number and amount of fines, if any, for service-level
18 agreement noncompliance for each vendor broken down by area of
19 noncompliance.

20 Sec. 308. From the funds appropriated in part 1, the
21 department shall provide for the training of all custody staff in
22 effective and safe ways of handling prisoners with mental illness
23 and referring prisoners to mental health treatment programs. Mental
24 health awareness training shall be incorporated into the training
25 of new custody staff.

26 Sec. 309. The department shall issue a report for all
27 correctional facilities to the senate and house appropriations
28 subcommittees on corrections, the senate and house fiscal agencies,
29 the legislative corrections ombudsman, and the state budget office



1 by January 1 setting forth the following information for each
2 facility: its name, street address, and date of construction; its
3 current maintenance costs; any maintenance planned; its current
4 utility costs; its expected future capital improvement costs; the
5 current unspent balance of any authorized capital outlay projects,
6 including the original authorized amount; and its expected future
7 useful life.

8 Sec. 311. By December 1, the department shall provide a report
9 on the Michigan state industries program to the senate and house
10 appropriations subcommittees on corrections, the senate and house
11 fiscal agencies, the legislative corrections ombudsman, and the
12 state budget office. The report shall include, but not be limited
13 to, the locations of the programs, the total number of participants
14 at each location, a description of job duties and typical inmate
15 schedules, the products that are produced, and how the program
16 provides marketable skills that lead to employable outcomes after
17 release from a department facility.

18 Sec. 312. (1) Funds appropriated in part 1 for employee
19 wellness programming shall be used for post-traumatic stress
20 outreach, treating mental health issues, and providing mental
21 health programming for all department staff, including former
22 employees.

23 (2) By September 30, the department shall submit a report on
24 programs the department has established, the level of employee
25 involvement, and expenditures made by the department for employee
26 wellness programming. The department shall submit the report to the
27 senate and house appropriations subcommittees on corrections, the
28 senate and house committees on oversight, the senate and house
29 fiscal agencies, the legislative corrections ombudsman, and the



1 state budget office.

2 Sec. 313. (1) From the funds appropriated in part 1, the
3 department shall submit quarterly reports on new employee schools
4 to the senate and house appropriations subcommittees on
5 corrections, the senate and house committees on oversight, the
6 senate and house fiscal agencies, the legislative corrections
7 ombudsman, and the state budget office. The reports must include
8 the following information for the immediately preceding fiscal
9 quarter, and as much of the information as possible for the current
10 and next fiscal year.

11 (a) The number of new employee schools that took place and the
12 location of each.

13 (b) The number of recruits that started in each employee
14 school.

15 (c) The number of recruits that graduated from each employee
16 school and continued employment with the department.

17 (2) The report must outline the department's strategy to
18 achieve a 5% or lower target corrections officer vacancy rate.

19 Sec. 314. From the funds appropriated in part 1, the
20 department shall submit a monthly report on the number of overtime
21 hours worked by all custody staff, by facility. The report shall
22 include for each facility, the number of mandatory overtime hours
23 worked, the number of voluntary overtime hours worked, the reasons
24 for overtime hours worked, and the average number of overtime hours
25 worked by active employees. The report shall be submitted to the
26 senate and house appropriations subcommittees on corrections, the
27 senate and house committees on oversight, the senate and house
28 fiscal agencies, the legislative corrections ombudsman, and the
29 state budget office.



1 Sec. 316. From the funds appropriated in part 1 for new
2 custody staff training, the department shall target training at
3 hiring a minimum of 800 corrections officers to address higher
4 than normal attrition of correction officers and to decrease
5 overtime costs.

6 Sec. 318. From the funds appropriated in part 1, the
7 department shall submit a report about programs that offer
8 professional development and training opportunities for all levels
9 of custody supervisors and first line managers. The report shall
10 include an overview of existing departmental programs, as well as a
11 review of programs available in other organizations and states that
12 serve similar purposes that may be adopted in part or in full to
13 enhance departmental training. The department shall provide the
14 required report by April 1 to the senate and house appropriations
15 subcommittees on corrections, the senate and house fiscal agencies,
16 the legislative corrections ombudsman, and the state budget office.

17

18 **OFFENDER SUCCESS ADMINISTRATION**

19 Sec. 401. The department shall submit 3-year and 5-year prison
20 population projection updates concurrent with submission of the
21 executive budget recommendation to the senate and house
22 appropriations subcommittees on corrections, the senate and house
23 fiscal agencies, the legislative corrections ombudsman, and the
24 state budget office. The report shall include explanations of the
25 methodology and assumptions used in developing the projection
26 updates.

27 Sec. 402. By March 1, the department shall provide a report on
28 offender success expenditures and allocations to the senate and
29 house appropriations subcommittees on corrections, the senate and



1 house fiscal agencies, the legislative corrections ombudsman, and
2 the state budget office. At a minimum, the report shall include
3 details on prior-year expenditures, including amounts spent on each
4 project funded, itemized by service provided and service provider.

5 Sec. 403. The department shall partner with nonprofit faith-
6 based, business and professional, civic, and community
7 organizations for the purpose of providing offender success
8 services. Offender success services include, but are not limited
9 to, counseling, providing information on housing and job placement,
10 and money management assistance.

11 Sec. 404. From the funds appropriated in part 1 for offender
12 success services, the department, when reasonably possible, shall
13 ensure that inmates have potential employer matches in the
14 communities to which they will return prior to each inmate's
15 initial parole hearing.

16 Sec. 406. From the funds appropriated in part 1, the
17 department shall conduct a study, in consultation with the
18 department of environment, Great Lakes, and energy, to determine
19 the feasibility of including prisoners nearing their earliest
20 release dates in the wastewater operator certification program
21 administered by the department of environment, Great Lakes, and
22 energy. The department shall submit a report by January 15 to the
23 senate and house subcommittees on corrections and the senate and
24 house fiscal agencies on the feasibility of training and certifying
25 prisoners to become water, drinking water, wastewater, and
26 stormwater operators. If it is determined that training and
27 certification of prisoners is not feasible, the department shall
28 report on the reasons for infeasibility.

29 Sec. 407. By June 30, the department shall place the



1 statistical report from the immediately preceding calendar year on
2 an internet site. The statistical report shall include, but not be
3 limited to, the information as provided in the 2004 statistical
4 report.

5 Sec. 408. The department shall measure the reincarceration
6 recidivism rates of offenders based on available data.

7 Sec. 410. (1) Funds awarded for residential services in part 1
8 shall provide for a per diem reimbursement of not more than \$55.50.

9 (2) Pursuant to an approved comprehensive plan, allowable uses
10 of community corrections comprehensive plans and services funds
11 shall include reimbursing counties for transportation, treatment
12 costs, and housing drunk drivers during a period of assessment for
13 treatment and case planning. Reimbursements for housing during the
14 assessment process shall be at the rate of \$43.50 per day per
15 offender, up to a maximum of 5 days per offender.

16 Sec. 413. (1) From the funds appropriated in part 1 for public
17 safety initiative, the law enforcement agency receiving funding
18 under part 1 shall submit quarterly expenditure reports including a
19 detailed listing of expenditures made, the purpose for which the
20 expenditures were made, the amounts of expenditures by purpose,
21 specific services provided, and the number of individuals served.
22 The report must be submitted to the senate and house of
23 representatives appropriations subcommittees on corrections, the
24 senate and house fiscal agencies, the legislative corrections
25 ombudsman, and the state budget office.

26 (2) If requested by the senate and house of representatives
27 appropriations subcommittees on corrections, the law enforcement
28 agency receiving funding under part 1 shall appear before the
29 subcommittees to discuss the expenditure report required under



1 subsection (1). The subcommittees will work with the law
2 enforcement agency to determine when the meeting will occur.

3 Sec. 414. (1) The department shall administer a county jail
4 reimbursement program from the funds appropriated in part 1 for the
5 purpose of reimbursing counties for housing in jails certain felons
6 who otherwise would have been sentenced to prison.

7 (2) The county jail reimbursement program shall reimburse
8 counties for convicted felons in the custody of the sheriff if the
9 conviction was for a crime committed on or after January 1, 1999
10 and 1 of the following applies:

11 (a) The felon's sentencing guidelines recommended range upper
12 limit is more than 18 months, the felon's sentencing guidelines
13 recommended range lower limit is 12 months or less, the felon's
14 prior record variable score is 35 or more points, and the felon's
15 sentence is not for commission of a crime in crime class G or crime
16 class H or a nonperson crime in crime class F under chapter XVII of
17 the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

18 (b) The felon's minimum sentencing guidelines range minimum is
19 more than 12 months under the sentencing guidelines described in
20 subdivision (a).

21 (c) The felon was sentenced to jail for a felony committed
22 while he or she was on parole and under the jurisdiction of the
23 parole board and for which the sentencing guidelines recommended
24 range for the minimum sentence has an upper limit of more than 18
25 months.

26 (3) State reimbursement under this section shall be \$65.00 per
27 diem per diverted offender for offenders with a presumptive prison
28 guideline score, \$55.00 per diem per diverted offender for
29 offenders with a straddle cell guideline for a group 1 crime, and



1 \$40.00 per diem per diverted offender for offenders with a straddle
2 cell guideline for a group 2 crime. Reimbursements shall be paid
3 for sentences up to a 1-year total.

4 (4) As used in this section:

5 (a) "Group 1 crime" means a crime in 1 or more of the
6 following offense categories: arson, assault, assaultive other,
7 burglary, criminal sexual conduct, homicide or resulting in death,
8 other sex offenses, robbery, and weapon possession as determined by
9 the department based on specific crimes for which counties received
10 reimbursement under the county jail reimbursement program in fiscal
11 year 2007 and fiscal year 2008, and listed in the county jail
12 reimbursement program document titled "FY 2007 and FY 2008 Group
13 One Crimes Reimbursed", dated March 31, 2009.

14 (b) "Group 2 crime" means a crime that is not a group 1 crime,
15 including larceny, fraud, forgery, embezzlement, motor vehicle,
16 malicious destruction of property, controlled substance offense,
17 felony drunk driving, and other nonassaultive offenses.

18 (c) "In the custody of the sheriff" means that the convicted
19 felon has been sentenced to the county jail and is either housed in
20 a county jail, is in custody but is being housed at a hospital or
21 medical facility for a medical or mental health purpose, or has
22 been released from jail and is being monitored through the use of
23 the sheriff's electronic monitoring system.

24 (5) County jail reimbursement program expenditures shall not
25 exceed the amount appropriated in part 1 for the county jail
26 reimbursement program. Payments to counties under the county jail
27 reimbursement program shall be made in the order in which properly
28 documented requests for reimbursements are received. A request
29 shall be considered to be properly documented if it meets MDOC



1 requirements for documentation. By October 15, the department shall
2 distribute the documentation requirements to all counties.

3 (6) Any county that receives funding under this section for
4 the purpose of housing in jails certain felons who otherwise would
5 have been sentenced to prison shall, as a condition of receiving
6 the funding, report by September 30 an annual average jail capacity
7 and annual average jail occupancy for the immediately preceding
8 fiscal year.

9 (7) Not later than February 1, the department shall report to
10 the senate and house appropriations subcommittees on corrections
11 all of the following information:

12 (a) The number of inmates sentenced to the custody of the
13 sheriff and eligible for the county jail reimbursement program.

14 (b) The total amount paid to counties under the county jail
15 reimbursement program.

16 (c) The total number of days inmates were in the custody of
17 the sheriff and eligible for the county jail reimbursement program.

18 (d) The number of inmates sentenced to the custody of the
19 sheriff under each of the 3 categories: presumptive prison, group 1
20 crime, and group 2 crime in subsection (3).

21 (e) The total amount paid to counties under each of the 3
22 categories: presumptive prison, group 1 crime, and group 2 crime in
23 subsection (3).

24 (f) The total number of days inmates were in the custody of
25 the sheriff under each of the 3 categories: presumptive prison,
26 group 1 crime, and group 2 crime in subsection (3).

27 (g) The estimated cost of housing inmates sentenced to the
28 custody of the sheriff and eligible for the county jail
29 reimbursement program as inmates of a state prison.



1 Sec. 417. (1) By March 1, the department shall report to the
2 senate and house appropriations subcommittees on corrections, the
3 senate and house fiscal agencies, the legislative corrections
4 ombudsman, and the state budget office on any new initiatives to
5 control prison population growth funded or proposed to be funded
6 under part 1.

7 (2) For each initiative listed under subsection (1), the
8 report shall include information on each of the following:

9 (a) Program objectives and outcome measures, including, but
10 not limited to, the number of offenders who successfully completed
11 the program, and the number of offenders who successfully remained
12 in the community during the 3 years following termination from the
13 program.

14 (b) Expenditures by location.

15 (c) The impact on jail utilization.

16 (d) The impact on prison admissions.

17 (e) Other information relevant to an evaluation of the
18 program.

19 Sec. 418. (1) The department shall collaborate with the state
20 court administrative office on facilitating changes to Michigan
21 court rules that would require the court to collect at the time of
22 sentencing the state operator's license, state identification card,
23 or other documentation used to establish the identity of the
24 individual to be admitted to the department. The department shall
25 maintain those documents in the prisoner's personal file.

26 (2) The department shall cooperate with MDHHS to create and
27 maintain a process by which prisoners can obtain their Michigan
28 birth certificates if necessary. The department shall describe a
29 process for obtaining birth certificates from other states, and in



1 situations where the prisoner's effort fails, the department shall
2 assist in obtaining the birth certificate.

3 (3) The department shall collaborate with the department of
4 military and veterans affairs to create and maintain a process by
5 which prisoners can obtain a copy of their DD Form 214 or other
6 military discharge documentation if necessary.

7 Sec. 419. (1) The department shall provide monthly email
8 reports to the senate and house appropriations subcommittees on
9 corrections, the senate and house fiscal agencies, the legislative
10 corrections ombudsman, and the state budget office on prisoner
11 populations by security levels by facility, prison facility
12 capacities, and parolee and probationer populations.

13 (2) The department shall provide monthly email reports to the
14 senate and house appropriations subcommittees on corrections, the
15 senate and house fiscal agencies, the legislative corrections
16 ombudsman, and the state budget office. The reports shall include
17 information on end-of-month prisoner populations in county jails,
18 the net operating capacity according to the most recent
19 certification report, identified by date, the number of beds in
20 currently closed housing units by facility, and end-of-month data,
21 year-to-date data, and comparisons to the prior year for the
22 following:

23 (a) Community residential program populations, separated by
24 centers and electronic monitoring.

25 (b) Parole populations.

26 (c) Probation populations, with identification of the number
27 in special alternative incarceration.

28 (d) Prison and camp populations, with separate identification
29 of the number in special alternative incarceration and the number



1 of lifers.

2 (e) Prisoners classified as past their earliest release date.

3 (f) Parole board activity, including the numbers and
4 percentages of parole grants and parole denials.

5 (g) Prisoner exits, identifying transfers to community
6 placement, paroles from prisons and camps, paroles from community
7 placement, total movements to parole, prison intake, prisoner
8 deaths, prisoners discharging on the maximum sentence, and other
9 prisoner exits.

10 (h) Prison intake and returns, including probation violators,
11 new court commitments, violators with new sentences, escaper new
12 sentences, total prison intake, returns from court with additional
13 sentences, community placement returns, technical parole violator
14 returns, and total returns to prison and camp.

15 Sec. 422. On a quarterly basis, the department shall issue a
16 report to the senate and house appropriations subcommittees on
17 corrections, the senate and house fiscal agencies, the legislative
18 corrections ombudsman, and the state budget office, for the
19 previous 4 quarters detailing the outcomes of prisoners who have
20 been reviewed for parole. The report shall include all of the
21 following:

22 (a) How many prisoners in each quarter were reviewed.

23 (b) How many prisoners were granted parole.

24 (c) How many prisoners were denied parole.

25 (d) How many parole decisions were deferred.

26 (e) The distribution of the total number of prisoners reviewed
27 during that quarter grouped by whether the prisoner had been
28 interviewed for the first, second, third, fourth, fifth, sixth, or
29 more than sixth time.



1 (f) The number of paroles granted, denied, or deferred for
2 each of the parole guideline scores of low, average, and high.

3 (g) The reason for denying or deferring parole.

4 Sec. 423. From the funds appropriated in part 1 for offender
5 success administration, the department shall collaborate with the
6 Michigan Restaurant Association for job placement for individuals
7 on probation and parole.

8 Sec. 425. (1) From the funds appropriated in part 1 for
9 offender success programming, \$1,000,000.00 shall be used by the
10 department to establish medication-assisted treatment offender
11 success pilot programs to provide prerelease treatment and
12 postrelease referral for opioid-addicted and alcohol-addicted
13 offenders who voluntarily participate in the medication-assisted
14 treatment offender success pilot programs. The department shall
15 collaborate with residential and nonresidential substance abuse
16 treatment providers and with community-based clinics to provide
17 postrelease treatment. The programs shall employ a multifaceted
18 approach to treatment, including a long-acting nonaddictive
19 medication approved by the Food and Drug Administration for the
20 treatment of opioid and alcohol dependence, counseling, and
21 postrelease referral to community-based providers.

22 (2) The manufacturer of a long-acting nonaddictive medication
23 approved by the Food and Drug Administration for opioid and alcohol
24 dependence shall provide the department with samples of the
25 medication, at no cost to the department, during the duration of
26 the medication-assisted treatment offender success pilot programs.
27 Offenders shall receive 1 injection prior to being released from
28 custody and shall be connected with an aftercare plan and
29 assistance with obtaining insurance to cover subsequent injections.



1 (3) Participants of the programs shall be required to attend
2 substance abuse treatment programming as directed by their agent,
3 including coordination of both direct or indirect services through
4 federally-qualified health centers in Wayne, Washtenaw, Genesee,
5 Berrien, Van Buren, and Allegan Counties, but not limited to only
6 those counties, shall be subject to routine drug and alcohol
7 testing, shall not be allowed to consume drugs or alcohol, and
8 shall possess a strong will to overcome addiction.

9 (4) The department shall submit a report by September 30 to
10 the senate and house appropriations subcommittees on corrections,
11 the senate and house fiscal agencies, the legislative corrections
12 ombudsman, and the state budget office on the number of offenders
13 who received injections upon release, the number of offenders who
14 received injections and tested positive for drugs or alcohol, the
15 number of offenders who received injections in the community for a
16 duration of at least 3 months, and the number of offenders who
17 received injections and were subsequently returned to prison.

18 Sec. 426. From the funds appropriated in part 1, the
19 department shall ensure that any inmate with a diagnosed mental
20 illness is referred to a local mental health care provider that is
21 able and willing to treat the inmate upon parole or discharge. The
22 department shall ensure that the provider is informed of the
23 inmate's current treatment plan including any medications that are
24 currently prescribed to the inmate.

25 Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip
26 the Script shall be distributed to a Michigan-chartered 501(c)(3)
27 nonprofit corporation operating in a county with greater than
28 1,500,000 people for administration and expansion of a program that
29 serves a population of individuals aged 16 to 39. The program shall



1 target those who are entering the criminal justice system for the
 2 first or second time and shall assist those individuals through the
 3 following program types:

4 (a) Alternative sentencing programs in partnership with a
 5 local district or circuit court.

6 (b) Educational recovery for special adult populations with
 7 high rates of illiteracy.

8 (c) Career development and continuing education for women.

9 (2) The program selected shall report by March 30 to the
 10 department, the senate and house appropriations subcommittees on
 11 corrections, the senate and house fiscal agencies, the legislative
 12 corrections ombudsman, and the state budget office. The report
 13 shall include program performance measurements, the number of
 14 individuals diverted from incarceration, the number of individuals
 15 served, and outcomes of participants who complete the program.

16

17 **FIELD OPERATIONS ADMINISTRATION**

18 Sec. 603. (1) Included in the appropriation in part 1 is
 19 adequate funding to implement the curfew monitoring program to be
 20 administered by the department. The curfew monitoring program is
 21 intended to provide sentencing judges and county sheriffs in
 22 coordination with local community corrections advisory boards
 23 access to the state's curfew monitoring program to reduce prison
 24 admissions and improve local jail utilization.

25 (2) Any county with curfew monitor charges outstanding over 60
 26 days shall be considered in violation of the community curfew
 27 monitor program agreement and lose access to the program.

28 Sec. 604. (1) The funds appropriated in part 1 for criminal
 29 justice reinvestment shall be used only to fund data collection and



1 evidence-based programs designed to reduce recidivism among
2 probationers and parolees.

3 (2) Of the funds appropriated in part 1 for criminal justice
4 reinvestment, at least \$850,000.00 shall be allocated to an
5 organization that has received a United States Department of Labor
6 training to work 2-adult reentry grant to provide county jail
7 inmates with programming and services to prepare them to get and
8 keep jobs. Examples of eligible programs and services include, but
9 are not limited to: adult education, tutoring, manufacturing skills
10 training, participation in a simulated work environment, mentoring,
11 cognitive therapy groups, life skills classes, substance abuse
12 recovery groups, fatherhood programs, classes in understanding the
13 legal system, family literacy, health and wellness, finance
14 management, employer presentations, and classes on job retention.
15 Programming and support services should begin before release and
16 continue after release from the county jail. To be eligible for
17 funding, an organization must show at least 2 years' worth of data
18 that demonstrate program success.

19 Sec. 605. From the funds appropriated in part 1 for criminal
20 justice reinvestment, the department shall allocate \$250,000.00 to
21 conduct a request for proposal for a vendor to provide evidence-
22 based mentoring, employment soft skills training, and job placement
23 assistance. The selected vendor must demonstrate the ability to
24 train individuals in mediation and conflict resolution. The
25 selected vendor must provide evidence-based practices and community
26 collaboration for offenders that are released from prison. The
27 department shall issue a request for proposal no later than
28 February 1 to acquire these services, with an awarded contract
29 start date no later than May 1.



1 Sec. 611. The department shall prepare by March 1 individual
2 reports for the residential reentry program, the electronic
3 monitoring program, and the special alternative to incarceration
4 program. The reports shall be submitted to the senate and house
5 appropriations subcommittees on corrections, the senate and house
6 fiscal agencies, the legislative corrections ombudsman, and the
7 state budget office. Each program's report shall include
8 information on all of the following:

9 (a) Monthly new participants by type of offender. Residential
10 reentry program participants shall be categorized by reason for
11 placement. For technical rule violators, the report shall sort
12 offenders by length of time since release from prison, by the most
13 recent violation, and by the number of violations occurring since
14 release from prison.

15 (b) Monthly participant unsuccessful terminations, including
16 cause.

17 (c) Number of successful terminations.

18 (d) End month population by facility/program.

19 (e) Average length of placement.

20 (f) Return to prison statistics.

21 (g) Description of each program location or locations,
22 capacity, and staffing.

23 (h) Sentencing guideline scores and actual sentence statistics
24 for participants, if applicable.

25 (i) Comparison with prior year statistics.

26 (j) Analysis of the impact on prison admissions and jail
27 utilization and the cost effectiveness of the program.

28 Sec. 612. (1) The department shall review and revise as
29 necessary policy proposals that provide alternatives to prison for



1 offenders being sentenced to prison as a result of technical
2 probation violations and technical parole violations. To the extent
3 the department has insufficient policies or resources to affect the
4 continued increase in prison commitments among these offender
5 populations, the department shall explore other policy options to
6 allow for program alternatives, including department or OCC-funded
7 programs, local level programs, and programs available through
8 private agencies that may be used as prison alternatives for these
9 offenders.

10 (2) By April 1, the department shall provide a report to the
11 senate and house appropriations subcommittees on corrections, the
12 senate and house fiscal agencies, the legislative corrections
13 ombudsman, and the state budget office on the number of all
14 parolees returned to prison and probationers sentenced to prison
15 for either a technical violation or new sentence during the
16 preceding fiscal year. The report shall include the following
17 information for probationers, for parolees after their first
18 parole, and for parolees who have been paroled more than once:

19 (a) The numbers of parole and probation violators returned to
20 or sent to prison for a new crime with a comparison of original
21 versus new offenses by major offense type: assaultive,
22 nonassaultive, drug, and sex.

23 (b) The numbers of parole and probation violators returned to
24 or sent to prison for a technical violation and the type of
25 violation, including, but not limited to, zero gun tolerance and
26 substance abuse violations. For parole technical rule violators,
27 the report shall list violations by type, by length of time since
28 release from prison, by the most recent violation, and by the
29 number of violations occurring since release from prison.



1 (c) The educational history of those offenders, including how
2 many had a high school equivalency or high school diploma prior to
3 incarceration in prison, how many received a high school
4 equivalency while in prison, and how many received a vocational
5 certificate while in prison.

6 (d) The number of offenders who participated in the reentry
7 program versus the number of those who did not.

8 (e) The unduplicated number of offenders who participated in
9 substance abuse treatment programs, mental health treatment
10 programs, or both, while in prison, itemized by diagnosis.

11 Sec. 615. The department shall submit a report detailing the
12 number of prisoners who have received life imprisonment sentences
13 with the possibility of parole and who are currently eligible for
14 parole to the senate and house appropriations subcommittees on
15 corrections, the senate and house fiscal agencies, the legislative
16 corrections ombudsman, and the state budget office by April 30.

17 Sec. 617. From the funds appropriated in part 1 for the
18 residential alternative to prison program, the department shall
19 provide vocational, educational, and cognitive programming in a
20 secure environment to enhance existing alternative sentencing
21 options, increase employment readiness and successful placement
22 rates, and reduce new criminal behavior for the west Michigan
23 probation violator population. The department shall measure and set
24 the following metric goals:

25 (a) 85% of participants successfully complete the program.

26 (b) Of the participants that complete the program, 75% will
27 earn a nationally recognized credential for career and vocational
28 programs.

29 (c) Of the participants that complete the program, 100% will



1 earn a certificate of completion for cognitive programming.

2 (d) The prison commitment rate for probation violators will be
3 reduced by 5% within the impacted geographical area after the first
4 year of program operation.

5
6 **HEALTH CARE**

7 Sec. 802. (1) As a condition of expenditure of the funds
8 appropriated in part 1, the department shall provide the senate and
9 house appropriations subcommittees on corrections, the senate and
10 house fiscal agencies, the legislative corrections ombudsman, and
11 the state budget office with quarterly reports on physical and
12 mental health care, pharmaceutical services, and durable medical
13 equipment, for prisoners. Reports shall detail quarterly and fiscal
14 year-to-date expenditures itemized by vendor, allocations, status
15 of payments from contractors to vendors, and projected year-end
16 expenditures from accounts. Reports shall include a breakdown of
17 all payments to the integrated care provider and to other providers
18 itemized by physical health care, mental health care,
19 pharmaceutical, and durable medical equipment expenditures.

20 (2) By April 1, the department shall provide the senate and
21 house appropriations subcommittees on corrections, the senate and
22 house fiscal agencies, the legislative corrections ombudsman, and
23 the state budget office with a report on pharmaceutical prescribing
24 practices, including a detailed accounting of expenditures on
25 antipsychotic medications, and any changes that have been made to
26 the prescription drug formularies.

27 Sec. 803. (1) The department shall assure that all prisoners,
28 upon any health care treatment, are given the opportunity to sign a
29 release of information form designating a family member or other



1 individual to whom the department shall release records information
2 regarding a prisoner. A release of information form signed by a
3 prisoner shall remain in effect for 1 year, and the prisoner may
4 elect to withdraw or amend the release form at any time.

5 (2) The department shall assure that any such signed release
6 forms follow a prisoner upon transfer to another department
7 facility or to the supervision of a parole officer.

8 (3) The form shall be placed online, on a public website
9 managed by the department.

10 Sec. 804. The department shall report quarterly to the senate
11 and house appropriations subcommittees on corrections, the senate
12 and house fiscal agencies, the legislative corrections ombudsman,
13 and the state budget office on prisoner health care utilization.
14 The report shall include the number of inpatient hospital days,
15 outpatient visits, emergency room visits, and prisoners receiving
16 off-site inpatient medical care in the previous quarter, by
17 facility.

18 Sec. 807. The funds appropriated in part 1 for Hepatitis C
19 treatment shall be used only to purchase specialty medication for
20 Hepatitis C treatment in the prison population. In addition to the
21 above appropriation, any rebates received from the medications used
22 shall be used only to purchase specialty medication for Hepatitis C
23 treatment. On a quarterly basis, the department shall issue a
24 report to the senate and house appropriations subcommittees on
25 corrections, the senate and house fiscal agencies, the legislative
26 corrections ombudsman, and the state budget office, showing for the
27 previous 4 quarters the total amount spent on specialty medication
28 for the treatment of Hepatitis C, the number of prisoners that were
29 treated, the amount of any rebates that were received from the



1 purchase of specialty medication, and what outstanding rebates are
2 expected to be received.

3

4 **CORRECTIONAL FACILITIES ADMINISTRATION**

5 Sec. 901. From the funds appropriated in part 1 for the
6 enhanced food technology program, the department shall maintain an
7 enhanced food technology program that provides on-the-job training
8 in prison kitchens that will lead to prisoners earning food service
9 training credentials recognized by the restaurant industry.

10 Sec. 902. (1) From the funds appropriated in part 1, the
11 department shall notify the senate and house appropriations
12 subcommittees on corrections, the senate and house fiscal agencies,
13 the legislative corrections ombudsman, and the state budget office
14 of the department's plans to eliminate programming for prisoners.
15 Notice shall be provided at least 30 days prior to program
16 elimination.

17 (2) As used in this section, "programming for prisoners" means
18 a department core program or career and technical education program
19 funded in part 1.

20 Sec. 903. From the funds appropriated in part 1 for prison
21 food service, the department shall report biannually to the senate
22 and house appropriations subcommittees on corrections, the senate
23 and house fiscal agencies, the legislative corrections ombudsman,
24 and the state budget office on the following:

25 (a) Average per-meal cost for prisoner food service. Per-meal
26 cost shall include all costs directly related to the provision of
27 food for the prisoner population, and shall include, but not be
28 limited to, actual food costs, total compensation for all food
29 service workers, including benefits and legacy costs, and



1 inspection and compliance costs for food service.

2 (b) Food service-related contracts, including goods or
3 services to be provided and the vendor.

4 (c) Major sanitation violations.

5 Sec. 904. The department shall calculate the cost per
6 prisoner/per day for each security custody level. This calculation
7 shall include all actual direct and indirect costs for the previous
8 fiscal year, including, but not limited to, the value of services
9 provided to the department by other state agencies and the
10 allocation of statewide legacy costs. To calculate the cost per
11 prisoner/per day, the department shall divide these direct and
12 indirect costs by the average daily population for each custody
13 level. For multilevel facilities, the indirect costs that cannot be
14 accurately allocated to each custody level can be included in the
15 calculation on a per-prisoner basis for each facility. A report
16 summarizing these calculations and the direct and indirect costs
17 included in them shall be submitted to the senate and house
18 appropriations subcommittees on corrections, the senate and house
19 fiscal agencies, the legislative corrections ombudsman, and the
20 state budget office not later than December 15.

21 Sec. 906. Any local unit of government or private nonprofit
22 organization that contracts with the department for public works
23 services shall be responsible for financing the entire cost of such
24 an agreement.

25 Sec. 907. The department shall report by March 1 to the senate
26 and house appropriations subcommittees on corrections, the senate
27 and house fiscal agencies, the legislative corrections ombudsman,
28 and the state budget office on academic and vocational programs.
29 The report shall provide information relevant to an assessment of



1 the department's academic and vocational programs, including, but
2 not limited to, all of the following:

3 (a) The number of instructors and the number of instructor
4 vacancies, by program and facility.

5 (b) The number of prisoners enrolled in each program, the
6 number of prisoners completing each program, the number of
7 prisoners who do not complete each program and are not subsequently
8 reenrolled, and the reason for not completing the program, the
9 number of prisoners transferred to another facility while enrolled
10 in a program and not subsequently reenrolled, the number of
11 prisoners enrolled who are repeating the program, and the number of
12 prisoners on waiting lists for each program, all itemized by
13 facility.

14 (c) The steps the department has undertaken to improve
15 programs, track records, accommodate transfers and prisoners with
16 health care needs, and reduce waiting lists.

17 (d) The number of prisoners paroled without a high school
18 diploma and the number of prisoners paroled without a high school
19 equivalency.

20 (e) An explanation of the value and purpose of each program,
21 for example, to improve employability, reduce recidivism, reduce
22 prisoner idleness, or some combination of these and other factors.

23 (f) An identification of program outcomes for each academic
24 and vocational program.

25 (g) The number of prisoners not paroled at their earliest
26 release date due to lack of a high school equivalency, and the
27 reason those prisoners have not obtained a high school equivalency.

28 Sec. 910. The department shall allow the Michigan Braille
29 transcribing fund program to operate at designated locations. The



1 department shall continue to encourage the Michigan Braille
2 transcribing fund program to produce high-quality materials for use
3 by the visually impaired.

4 Sec. 911. (1) The department shall report as follows to the
5 senate and house appropriations subcommittees on corrections, the
6 senate and house fiscal agencies, the legislative corrections
7 ombudsman, and the state budget office:

8 (a) Within 48 hours of occurrence, any critical incident
9 occurring at a correctional facility.

10 (b) By March 1, the number of critical incidents occurring
11 each month at each facility during the immediately preceding
12 calendar year, categorized by type and severity of each incident.

13 (2) As used in this section, "critical incident" includes, but
14 is not limited to, assaults between prisoners and on staff, escapes
15 and escape attempts, suicides and attempted suicides, disturbances
16 of any type involving multiple prisoners, substance use including
17 overdoses and deaths, prisoner deaths not caused by natural means,
18 and any other serious incidents.

19 Sec. 912. The department shall report quarterly to the senate
20 and house appropriations subcommittees on corrections, the senate
21 and house fiscal agencies, the legislative corrections ombudsman,
22 and the state budget office on the ratio of correctional officers
23 to prisoners for each correctional institution, by shift, the ratio
24 of shift command staff to line custody staff, by shift, and the
25 ratio of noncustody institutional staff to prisoners for each
26 correctional institution, by shift.

27 Sec. 913. (1) From the funds appropriated in part 1, the
28 department shall focus on providing required programming to
29 prisoners who are past their earliest release date because of not



1 having received the required programming. Programming includes, but
2 is not limited to, violence prevention programming, assaultive
3 offender programming, sexual offender programming, substance abuse
4 treatment programming, thinking for a change programming, and any
5 other programming that is required as a condition of parole.

6 (2) It is the intent of the legislature that any prisoner
7 required to complete a violence prevention program, sexual offender
8 program, or other program as a condition of parole shall be placed
9 on a waiting list for the appropriate programming upon entrance to
10 prison and transferred to a facility where that program is
11 available in order to accomplish timely completion of that program
12 prior to the expiration of his or her minimum sentence and
13 eligibility for parole. Nothing in this section should be deemed to
14 make parole denial appealable in court.

15 (3) The department shall, to the greatest extent possible,
16 provide programming for prisoners at or near the beginning of
17 prisoners' terms of incarceration, particularly programs that could
18 impact prisoners' behavior while incarcerated. Programming
19 includes, but is not limited to, violence prevention programming,
20 assaultive offender programming, sexual offender programming,
21 substance abuse treatment programming, and thinking for a change
22 programming.

23 (4) The department shall submit a quarterly report to the
24 senate and house appropriations subcommittees on corrections, the
25 senate and house fiscal agencies, the legislative corrections
26 ombudsman, and the state budget office detailing enrollment in sex
27 offender programming, assaultive offender programming, violent
28 offender programming, and thinking for a change programming. At a
29 minimum, the report shall include the following:



1 (a) A full accounting, from the date of entrance to prison, of
2 the number of individuals who are required to complete the
3 programming, but have not yet done so.

4 (b) The number of individuals who have reached their earliest
5 release date, but who have not completed required programming.

6 (c) A plan of action for addressing any waiting lists or
7 backlogs for programming that may exist.

8 Sec. 920. If a female prisoner in a facility funded from
9 appropriations in part 1 consents to a visitor being present, the
10 department shall allow that 1 person to be present during the
11 prisoner's labor and delivery. The person allowed to accompany the
12 prisoner must be an immediate family member, legal guardian,
13 spouse, or domestic partner. The department is authorized to deny
14 access to a visitor if the department has a safety concern with
15 that visitor's access. The department is authorized to conduct a
16 criminal background check on a visitor.

17 Sec. 924. The department shall evaluate all prisoners at
18 intake for substance abuse disorders, serious developmental
19 disorders, serious mental illness, and other mental health
20 disorders. Prisoners with serious mental illness or serious
21 developmental disorders shall not be removed from the general
22 population as a punitive response to behavior caused by their
23 serious mental illness or serious developmental disorder. Due to
24 persistent high violence risk or severe disruptive behavior that is
25 unresponsive to treatment, prisoners with serious mental illness or
26 serious developmental disorders may be placed in secure residential
27 housing programs that will facilitate access to institutional
28 programming and ongoing mental health services. A prisoner with
29 serious mental illness or serious developmental disorder who is



1 confined in these specialized housing programs shall be evaluated
2 or monitored by a medical professional at a frequency of not less
3 than every 12 hours.

4 Sec. 925. By March 1, the department shall report to the
5 senate and house appropriations subcommittees on corrections, the
6 senate and house fiscal agencies, the legislative corrections
7 ombudsman, and the state budget office on the annual number of
8 prisoners in administrative segregation between October 1, 2020 and
9 September 30, 2021, and the annual number of prisoners in
10 administrative segregation between October 1, 2020 and September
11 30, 2021 who at any time during the current or prior prison term
12 were diagnosed with serious mental illness or have a developmental
13 disorder and the number of days each of the prisoners with serious
14 mental illness or a developmental disorder have been confined to
15 administrative segregation.

16 Sec. 929. From the funds appropriated in part 1, the
17 department shall do all of the following:

18 (a) Ensure that any inmate care and control staff in contact
19 with prisoners less than 18 years of age are adequately trained
20 with regard to the developmental and mental health needs of
21 prisoners less than 18 years of age. By April 1, the department
22 shall report to the senate and house appropriations subcommittees
23 on corrections, the senate and house fiscal agencies, the
24 legislative corrections ombudsman, and the state budget office on
25 the training curriculum used and the number and types of staff
26 receiving annual training under that curriculum.

27 (b) Provide appropriate placement for prisoners less than 18
28 years of age who have serious mental illness, serious emotional
29 disturbance, or a serious developmental disorder and need to be



1 housed separately from the general population. Prisoners less than
2 18 years of age who have serious mental illness, serious emotional
3 disturbance, or a serious developmental disorder shall not be
4 removed from an existing placement as a punitive response to
5 behavior caused by their serious mental illness, serious emotional
6 disturbance, or a serious developmental disorder. Due to persistent
7 high violence risk or severe disruptive behavior that is
8 unresponsive to treatment, prisoners less than 18 years of age with
9 serious emotional disturbance, serious mental illness, or serious
10 developmental disorders may be placed in secure residential housing
11 programs that will facilitate access to institutional programming
12 and ongoing mental health services. A prisoner less than 18 years
13 of age with serious mental illness, serious emotional disturbance,
14 or a serious developmental disorder who is confined in these
15 specialized housing programs shall be evaluated or monitored by a
16 medical professional at a frequency of not less than every 12
17 hours.

18 (c) Implement a specialized offender success program that
19 recognizes the needs of prisoners less than 18 years old for
20 supervised offender success.

21 Sec. 930. The department shall submit a quarterly report to
22 the senate and house appropriations subcommittees on corrections,
23 the senate and house fiscal agencies, the legislative corrections
24 ombudsman, and the state budget office on the number of youth in
25 prison. The report shall include, but not be limited to, the
26 following information:

27 (a) The total number of inmates under age 18 who are not on
28 Holmes youthful trainee act status.

29 (b) The total number of inmates under age 18 who are on Holmes



1 youthful trainee act status.

2 (c) The total number of inmates aged 18 to 23 who are on
3 Holmes youthful trainee act status.

4 Sec. 940. (1) Any lease, rental, contract, or other legal
5 agreement that includes a provision allowing a private person or
6 entity to use state-owned facilities or other property to conduct a
7 for-profit business enterprise shall require the lessee to pay fair
8 market value for the use of the state-owned property.

9 (2) The lease, rental, contract, or other legal agreement
10 shall also require the party using the property to make a payment
11 in lieu of taxes to the local jurisdictions that would otherwise
12 receive property tax revenue, as if the property were not owned by
13 the state.

14 Sec. 942. The department shall ensure that any contract with a
15 public or private party to operate a facility to house state
16 prisoners includes a provision to allow access by both the office
17 of the legislative auditor general and the office of the
18 legislative corrections ombudsman to the facility and to
19 appropriate records and documents related to the operation of the
20 facility. These access rights for both offices shall be the same
21 for the contracted facility as for a general state-operated
22 correctional facility.

23 Sec. 943. The department shall submit a report by May 1 to the
24 senate and house appropriations subcommittees on corrections, the
25 senate and house fiscal agencies, the legislative corrections
26 ombudsman, and the state budget office on the actual and projected
27 savings achieved by closing correctional facilities. Savings
28 amounts shall be itemized by facility. Information required by this
29 section shall start with the closure of the Pugsley Correctional



1 Facility, which closed in September of 2016.

2 Sec. 944. When the department is planning to close a
3 correctional facility, the department shall fully consider the
4 potential economic impact of the prison closure on the community
5 where the facility is located. The department, when weighing all
6 factors related to the closure of a facility, shall also consider
7 the impact on the local community where the facility to be closed
8 is located.

9 Sec. 945. From the funds appropriated in part 1, the
10 department shall notify the senate and house appropriations
11 subcommittees on corrections, the senate and house fiscal agencies,
12 the legislative corrections ombudsman, and the state budget office
13 of the department's plans to close, consolidate, or relocate any
14 correctional facility in the state. Notice shall be provided at
15 least 30 days prior to effective date of closure, consolidation, or
16 relocation.

17 Sec. 946. The department shall consult with the legislature
18 and other appropriate state agencies to develop a framework to
19 provide investment in communities that have formerly operational
20 state correctional facilities that have been closed. This framework
21 shall include plans to ensure that vacant state correctional
22 facilities do not become a nuisance or danger to the community.

23

24 **MISCELLANEOUS**

25 Sec. 1009. The department shall make an information packet for
26 the families of incoming prisoners available on the department's
27 website. The information packet shall be updated by February 1. The
28 packet shall provide information on topics including, but not
29 limited to: how to put money into prisoner accounts, how to make



1 phone calls or create Jpay email accounts, how to visit in person,
2 proper procedures for filing complaints or grievances, the rights
3 of prisoners to physical and mental health care, how to utilize the
4 offender tracking information system (OTIS), truth-in-sentencing
5 and how it applies to minimum sentences, the parole process, and
6 guidance on the importance of the role of families in the reentry
7 process. The department is encouraged to partner with external
8 advocacy groups and actual families of prisoners in the packet-
9 writing process to ensure that the information is useful and
10 complete.

11 Sec. 1011. The department may accept in-kind services and
12 equipment donations to facilitate the addition of a cable network
13 that provides programming that will address the religious needs of
14 incarcerated individuals. This network may be a cable television
15 network that presently reaches the majority of households in the
16 United States. A bilingual channel affiliated with this network may
17 also be added to department programming to assist the religious
18 needs of Spanish-speaking inmates. The addition of these channels
19 shall be at no additional cost to this state.

20 Sec. 1013. From the funds appropriated in part 1, priority may
21 be given to funding reentry or rehabilitation programs that have
22 been demonstrated to reduce prison violence and recidivism,
23 including faith-based initiatives.

