



SENATE BILL No. 365

March 1, 1995, Introduced by Senator GEAKE and referred to the Committee on Local, Urban and State Affairs.

A bill to amend the title and section 1 of Act No. 60 of the Public Acts of 1962, entitled as amended

"An act to provide for the day parole of prisoners in county jails to permit them to be gainfully employed outside the jail or pursue other activities; to provide for the granting of reductions in terms of imprisonment and the regulation thereof; and to provide for the disposition of earnings from such employment,"

as amended by Act No. 146 of the Public Acts of 1987, being section 801.251 of the Michigan Compiled Laws; and to add section 1a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 1 of Act No. 60 of the
2 Public Acts of 1962, as amended by Act No. 146 of the Public Acts
3 of 1987, being section 801.251 of the Michigan Compiled Laws, are
4 amended and section 1a is added to read as follows:

1 TITLE

2 An act to provide for the day parole of prisoners in
3 ~~county~~ jails to permit them to be gainfully employed outside
4 the jail or pursue other activities; to provide for the granting
5 of CERTAIN reductions in terms of imprisonment ~~and the regula-~~
6 ~~tion thereof~~ IN JAILS; and to provide for the disposition of
7 earnings from ~~such~~ employment OF PRISONERS.

8 Sec. 1. (1) Except as otherwise provided in subsection
9 ~~(2)~~ (3), a sentence or commitment of a person to a county jail
10 for any reason may grant to the person the privilege of leaving
11 the jail during necessary and reasonable hours for any of the
12 following purposes:

13 (a) Seeking employment.

14 (b) Working at his or her employment.

15 (c) Conducting his or her own self-employed business or
16 occupation, including housekeeping and caring for the needs of
17 his or her family.

18 (d) Attendance at an educational institution.

19 (e) Medical treatment, substance abuse treatment, mental
20 health counseling, or psychological counseling.

21 (2) A person may petition the court for ~~such~~ A privilege
22 DESCRIBED IN SUBSECTION (1) at the time of sentence or commit-
23 ment, and in the discretion of the court may renew his or her
24 petition. The court may withdraw the privilege at any time by
25 order entered with or without notice.

26 (3) ~~(2)~~ A person shall not be granted the privileges
27 described in subsection (1), except for the privilege of leaving

1 the jail during necessary and reasonable hours for the purpose of
2 medical treatment, substance abuse treatment, mental health coun-
3 seling, or psychological counseling, if the person is housed in
4 the jail while serving all or any part of a sentence of imprison-
5 ment for any of the following crimes:

6 (a) Section 145c, 520b, 520c, 520d, or 520g of the Michigan
7 penal code, Act No. 328 of the Public Acts of 1931, being sec-
8 tions 750.145c, 750.520b, 750.520c, 750.520d, and 750.520g of the
9 Michigan Compiled Laws.

10 (b) Murder in connection with sexual misconduct.

11 (c) An attempt to commit a crime described in subdivision
12 (a) or (b).

13 (4) ~~(3)~~ As used in this act, "jail" means a facility that
14 is operated by a county, OR IS OPERATED BY A PRIVATE ENTITY UNDER
15 CONTRACT WITH A COUNTY PURSUANT TO THE ALTERNATIVE JAILS ACT, for
16 the detention FOR NOT MORE THAN 1 YEAR of persons charged with,
17 or convicted of, criminal offenses or ordinance violations, or
18 persons found guilty of civil or criminal contempt. ~~, for not~~
19 ~~more than 1 year.~~

20 SEC. 1A. IN THE CASE OF A PRIVATELY OPERATED JAIL ESTAB-
21 LISHED BY A CITY, VILLAGE, OR TOWNSHIP UNDER THE ALTERNATIVE
22 JAILS ACT, THE PROVISIONS OF THIS ACT THAT SPECIFY THE DUTIES AND
23 AUTHORITY OF SHERIFFS APPLY INSTEAD TO THE PERSON DESIGNATED BY
24 CONTRACT AS BEING RESPONSIBLE FOR THE OPERATION OF THE PRIVATELY
25 OPERATED JAIL.

1 Section 2. This amendatory act shall not take effect unless
2 Senate Bill No. 356
3 of the 88th Legislature is enacted into law.