

**SUBSTITUTE FOR
SENATE BILL NO. 826**

A bill to amend 1893 PA 118, entitled
"An act to revise and consolidate the laws relative to state
prisons, to state houses of correction, and branches of state
prisons and reformatories, and the government and discipline
thereof and to repeal all acts inconsistent therewith,"
by amending section 34 (MCL 800.34), as amended by 1996 PA 83;
and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 34. (1) A prisoner subject to disciplinary time shall
2 receive disciplinary time for each major misconduct for which he
3 or she is found guilty as prescribed by rule pursuant to
4 section 35.

5 (2) Accumulated disciplinary time shall be added to a
6 prisoner's minimum sentence in order to determine his or her
7 parole eligibility date. A prisoner's minimum sentence, plus
8 disciplinary time, shall not exceed his or her maximum sentence.

SB 826, As Passed Senate, December 10, 1997

Senate Bill No. 826

2

1 (3) A prisoner who has been sentenced concurrently for
2 separate convictions shall have his or her disciplinary time com-
3 puted and accumulated on each sentence individually. If a pris-
4 oner is serving consecutive sentences for separate convictions,
5 his or her disciplinary time shall be computed and accumulated on
6 each sentence individually.

7 (4) A prisoner subject to disciplinary time may have any or
8 all of his or her accumulated disciplinary time reduced by the
9 department if he or she has demonstrated exemplary good conduct
10 during the term of imprisonment. Disciplinary time deducted pur-
11 suant to this section may be restored if the prisoner is found
12 guilty of a major misconduct.

13 (5) As used in this act, "prisoner subject to disciplinary
14 time" ~~means a~~ INCLUDES BOTH OF THE FOLLOWING:

15 (A) A prisoner sentenced ~~on or after the effective date of~~
16 ~~the amendatory act that added this section~~ to an indeterminate
17 term of imprisonment for any of the following CRIMES COMMITTED ON
18 OR AFTER MAY 1, 1998:

19 (i) ~~(a)~~ A violation of section 625(4) or (5) of the
20 Michigan vehicle code, ~~Act No. 300 of the Public Acts of 1949,~~
21 ~~being section 257.625 of the Michigan Compiled Laws~~ 1949 PA 300,
22 MCL 257.625.

23 (ii) ~~(b)~~ A violation of section 80176(4) or (5) of part
24 801 (marine safety) of the natural resources and environmental
25 protection act, ~~Act No. 451 of the Public Acts of 1994, being~~
26 ~~section 324.80176 of the Michigan Compiled Laws~~ 1994 PA 451, MCL
27 324.80176.

SB 826, As Passed Senate, December 10, 1997

Senate Bill No. 826

3

1 (iii) ~~(e)~~ A violation of section 72, 73, 80, 82, 83, 84,
2 86, 87, 88, 89, 90, 110a(2), 112, 136b(2), 145c, 204, 204a, 205,
3 205a, 206, 207, 208, 210, 211, 211a, 213, 316, 317, 319, 321,
4 322, 327, 328, 329, 349, 349a, 350, 357, 397, 411i, 479b, 520b,
5 520c, 520d, 520e, 520g, 529, 529a, 530, or 531 of the Michigan
6 penal code, ~~Act No. 328 of the Public Acts of 1931, being~~
7 ~~sections~~ 1931 PA 328, MCL 750.72, 750.73, 750.80, 750.82,
8 750.83, 750.84, 750.86, 750.87, 750.88, 750.89, 750.90, 750.110a,
9 750.112, 750.136b, 750.145c, 750.204, 750.204a, 750.205,
10 750.205a, 750.206, 750.207, 750.208, 750.210, 750.211, 750.211a,
11 750.213, 750.316, 750.317, 750.319, 750.321, 750.322, 750.327,
12 750.328, 750.329, 750.349, 750.349a, 750.350, 750.357, 750.397,
13 750.411i, 750.479b, 750.520b, 750.520c, 750.520d, 750.520e,
14 750.520g, 750.529, 750.529a, 750.530, and 750.531. ~~of the~~
15 ~~Michigan Compiled Laws.~~

16 (iv) ~~(d)~~ A violation of section 1 of ~~Act No. 214 of the~~
17 ~~Public Acts of 1931, being section 752.191 of the Michigan~~
18 ~~Compiled Laws~~ 1931 PA 214, MCL 752.191.

19 (v) ~~(e)~~ A violation of section 1, 2, or 2a of ~~Act No. 302~~
20 ~~of the Public Acts of 1968, being sections 752.541, 752.542, and~~
21 ~~752.542a of the Michigan Compiled Laws~~ 1968 PA 302, MCL 752.541,
22 752.542, AND 752.542A.

23 (vi) ~~(f)~~ Any offense not listed in ~~subdivisions (a) to~~
24 ~~(e)~~ SUBPARAGRAPHS (i) TO (v) that is punishable by life
25 imprisonment.

SB 826, As Passed Senate, December 10, 1997

Senate Bill No. 826

4

1 (vii) ~~(g)~~ An attempt, conspiracy, or solicitation to
2 commit an offense described in ~~subdivisions (a) to (f)~~
3 SUBPARAGRAPHS (i) TO (vi).

4 (B) A PRISONER SENTENCED TO AN INDETERMINATE TERM OF IMPRIS-
5 ONMENT FOR ANY CRIME NOT LISTED IN SUBDIVISION (A), IF THAT CRIME
6 WAS COMMITTED ON OR AFTER MAY 1, 1999.

7 Enacting section 1. The following acts and parts of acts
8 are repealed:

9 (a) Enacting section 2 of 1994 PA 217.

10 (b) Enacting section 2 of 1994 PA 218.

11 Enacting section 2. This amendatory act takes effect May 1,
12 1998.