

SUBSTITUTE FOR
SENATE BILL NO. 119

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. There is appropriated for the department of
4 corrections for the fiscal year ending September 30, 2016, from the
5 following funds:

6 DEPARTMENT OF CORRECTIONS

7 APPROPRIATION SUMMARY

| | | |
|---|-----------------------------------|--------|
| 8 | Average Michigan population | 44,997 |
|---|-----------------------------------|--------|

| | | |
|---|---|------|
| 9 | Full-time equated unclassified positions..... | 16.0 |
|---|---|------|

| | | | |
|----|---|----------|------------------|
| 1 | Full-time equated classified positions..... | 14,174.3 | |
| 2 | GROSS APPROPRIATION..... | | \$ 1,961,726,000 |
| 3 | Interdepartmental grant revenues: | | |
| 4 | Total interdepartmental grants and intradepartmental | | |
| 5 | transfers | | 225,000 |
| 6 | ADJUSTED GROSS APPROPRIATION..... | | \$ 1,961,501,000 |
| 7 | Federal revenues: | | |
| 8 | Total federal revenues..... | | 5,568,700 |
| 9 | Special revenue funds: | | |
| 10 | Total local revenues..... | | 8,533,200 |
| 11 | Total private revenues..... | | 0 |
| 12 | Total other state restricted revenues..... | | 42,950,700 |
| 13 | State general fund/general purpose..... | | \$ 1,904,448,400 |
| 14 | Sec. 102. EXECUTIVE | | |
| 15 | Full-time equated unclassified positions..... | 16.0 | |
| 16 | Full-time equated classified positions..... | 20.0 | |
| 17 | Unclassified positions--16.0 FTE positions..... | | \$ 1,750,000 |
| 18 | Executive direction--20.0 FTE positions..... | | <u>4,127,100</u> |
| 19 | GROSS APPROPRIATION..... | | \$ 5,877,100 |
| 20 | Appropriated from: | | |
| 21 | State general fund/general purpose..... | | \$ 5,877,100 |
| 22 | Sec. 103. PRISONER REENTRY AND COMMUNITY SUPPORT | | |
| 23 | Full-time equated classified positions..... | 339.4 | |
| 24 | Prisoner reentry local service providers..... | | \$ 13,208,600 |
| 25 | Prisoner reentry MDOC programs..... | | 11,124,000 |
| 26 | Prisoner reentry federal grants..... | | 250,000 |
| 27 | Public safety initiative..... | | 4,500,000 |

| | | |
|----|--|------------------|
| 1 | Reentry services--67.0 FTE positions | 14,391,700 |
| 2 | Education program--272.4 FTE positions | 35,852,400 |
| 3 | Community corrections comprehensive plans and services | 12,158,000 |
| 4 | Felony drunk driver jail reduction and community | |
| 5 | treatment program | 1,440,100 |
| 6 | Residential services | 15,475,500 |
| 7 | Goodwill Flip the Script | <u>2,500,000</u> |
| 8 | GROSS APPROPRIATION | \$ 110,900,300 |
| 9 | Appropriated from: | |
| 10 | Federal revenues: | |
| 11 | DOJ, prisoner reintegration | 250,000 |
| 12 | DED, vocational education equipment | 152,200 |
| 13 | DED-OESE, title 1 | 899,400 |
| 14 | DED-OVAE, adult education | 353,400 |
| 15 | DED-OSERS | 115,200 |
| 16 | DED, youthful offender/Specter grant | 201,900 |
| 17 | Special revenue funds: | |
| 18 | Program and special equipment fund | 8,982,900 |
| 19 | State general fund/general purpose | \$ 99,945,300 |
| 20 | Sec. 104. BUDGET AND OPERATIONS ADMINISTRATION | |
| 21 | Full-time equated classified positions..... 172.0 | |
| 22 | Budget and operations administration--172.0 FTE | |
| 23 | positions | \$ 21,946,100 |
| 24 | New custody staff training | 9,079,500 |
| 25 | Compensatory buyout and union leave bank | 100 |
| 26 | Worker's compensation | 16,500,000 |
| 27 | Rent | 2,349,100 |

| | | |
|----|---|-------------------|
| 1 | Equipment and special maintenance..... | 4,359,600 |
| 2 | Administrative hearings officers..... | 3,326,400 |
| 3 | Judicial data warehouse user fees..... | 50,000 |
| 4 | Sheriffs' coordinating and training office..... | 100,000 |
| 5 | Prosecutorial and detainer expenses..... | 4,501,000 |
| 6 | County jail reimbursement program..... | <u>13,597,100</u> |
| 7 | GROSS APPROPRIATION..... | \$ 75,808,900 |
| 8 | Appropriated from: | |
| 9 | Special revenue funds: | |
| 10 | Jail reimbursement program fund..... | 5,900,000 |
| 11 | Program and special equipment fund..... | 2,800,000 |
| 12 | Local corrections officer training fund..... | 100,000 |
| 13 | Correctional industries revolving fund..... | 600,500 |
| 14 | State general fund/general purpose..... | \$ 66,408,400 |
| 15 | Sec. 105. FIELD OPERATIONS ADMINISTRATION | |
| 16 | Full-time equated classified positions..... | 1,920.9 |
| 17 | Field operations--1,887.9 FTE positions..... | \$ 208,958,800 |
| 18 | Parole board operations--33.0 FTE positions..... | 3,734,900 |
| 19 | Parole/probation services..... | 940,000 |
| 20 | IDG to DHS - swift and sure/MRS..... | 1,000,000 |
| 21 | Parole sanction certainty pilot program..... | <u>500,000</u> |
| 22 | GROSS APPROPRIATION..... | \$ 215,133,700 |
| 23 | Appropriated from: | |
| 24 | Special revenue funds: | |
| 25 | Local - community tether program reimbursement..... | 200,900 |
| 26 | Reentry center offender reimbursements..... | 23,800 |
| 27 | Parole and probation oversight fees..... | 4,331,900 |

| | | |
|----|---|----------------|
| 1 | Parole and probation oversight fees set-aside | 940,000 |
| 2 | Tether program, participant contributions | 2,426,700 |
| 3 | State general fund/general purpose | \$ 207,210,400 |
| 4 | Sec. 106. CORRECTIONAL FACILITIES ADMINISTRATION | |
| 5 | Full-time equated classified positions..... | 469.0 |
| 6 | Correctional facilities administration--22.0 FTE | |
| 7 | positions | \$ 6,259,000 |
| 8 | Prison food service | 52,558,900 |
| 9 | Transportation--208.0 FTE positions | 23,252,200 |
| 10 | Central records--53.0 FTE positions | 5,591,800 |
| 11 | Inmate legal services | 790,900 |
| 12 | Housing inmates in federal institutions | 611,000 |
| 13 | Prison store operations--63.0 FTE positions | 5,649,200 |
| 14 | Prison industries operations--123.0 FTE positions | 9,977,900 |
| 15 | Federal school lunch program | 812,800 |
| 16 | Leased beds and alternatives to leased beds | 5,250,000 |
| 17 | Cost-effective housing initiative | 100 |
| 18 | Inmate housing fund | <u>100</u> |
| 19 | GROSS APPROPRIATION | \$ 110,753,900 |
| 20 | Appropriated from: | |
| 21 | Interdepartmental grant revenues: | |
| 22 | IDG-MDHS, Maxey/Woodland Center food service | 225,000 |
| 23 | Federal revenues: | |
| 24 | DAG-FNS, national school lunch | 812,800 |
| 25 | DOJ-BOP, federal prisoner reimbursement | 411,000 |
| 26 | DOJ, prison rape elimination act grant | 659,500 |
| 27 | SSA-SSI, incentive payment | 268,000 |

| | | |
|----|--|--------------------|
| 1 | Special revenue funds: | |
| 2 | Correctional industries revolving fund..... | 9,977,900 |
| 3 | Resident stores..... | 5,649,200 |
| 4 | State general fund/general purpose..... | \$ 92,750,500 |
| 5 | Sec. 107. HEALTH CARE | |
| 6 | Full-time equated classified positions..... | 1,484.9 |
| 7 | Prisoner health care services..... | \$ 75,180,400 |
| 8 | Vaccination program..... | 691,200 |
| 9 | Interdepartmental grant to human services, | |
| 10 | eligibility specialists | 100,000 |
| 11 | Healthy Michigan plan administration--12.0 FTE | |
| 12 | positions | 1,076,000 |
| 13 | Substance abuse testing and treatment services--11.0 | |
| 14 | FTE positions | 21,791,300 |
| 15 | Clinical and mental health services and | |
| 16 | support--1,461.9 FTE positions..... | <u>195,566,900</u> |
| 17 | GROSS APPROPRIATION..... | \$ 294,405,800 |
| 18 | Appropriated from: | |
| 19 | Federal revenues: | |
| 20 | DOJ, Office of Justice Programs, RSAT..... | 185,400 |
| 21 | Federal revenues and reimbursements..... | 247,900 |
| 22 | Special revenue funds: | |
| 23 | Prisoner health care co-payments..... | 252,700 |
| 24 | State general fund/general purpose..... | \$ 293,719,800 |
| 25 | Sec. 108. CORRECTIONAL FACILITIES | |
| 26 | Average population | 44,997 |
| 27 | Full-time equated classified positions..... | 9,768.1 |

| | | |
|----|--|---------------|
| 1 | Alger Correctional Facility - Munising--260.2 FTE | |
| 2 | positions | \$ 29,943,600 |
| 3 | Baraga Correctional Facility - Baraga--295.8 FTE | |
| 4 | positions | 34,636,600 |
| 5 | Bellamy Creek Correctional Facility - Ionia--389.2 | |
| 6 | FTE positions | 42,754,300 |
| 7 | Earnest C. Brooks Correctional Facility - | |
| 8 | Muskegon--442.9 FTE positions..... | 49,684,800 |
| 9 | Carson City Correctional Facility - Carson | |
| 10 | City--424.4 FTE positions | 47,270,800 |
| 11 | Central Michigan Correctional Facility - St. | |
| 12 | Louis--391.6 FTE positions | 45,566,600 |
| 13 | Chippewa Correctional Facility - Kincheloe--435.1 | |
| 14 | FTE positions | 49,228,800 |
| 15 | Cooper Street Correctional Facility - Jackson--260.1 | |
| 16 | FTE positions | 28,733,600 |
| 17 | G. Robert Cotton Correctional Facility - | |
| 18 | Jackson--390.1 FTE positions | 43,194,100 |
| 19 | Detroit Detention Center--63.1 FTE positions | 8,332,300 |
| 20 | Detroit Reentry Center--215.6 FTE positions | 26,772,500 |
| 21 | Charles E. Egeler Correctional Facility - | |
| 22 | Jackson--373.7 FTE positions | 43,676,700 |
| 23 | Richard A. Handlon Correctional Facility - | |
| 24 | Ionia--251.7 FTE positions | 29,037,900 |
| 25 | Gus Harrison Correctional Facility - Adrian--441.6 | |
| 26 | FTE positions | 48,151,300 |
| 27 | Ionia Correctional Facility - Ionia--285.8 FTE | |

| | | |
|----|--|------------|
| 1 | positions | 32,910,300 |
| 2 | Kinross Correctional Facility - Kincheloe--323.8 FTE | |
| 3 | positions | 35,662,100 |
| 4 | Lakeland Correctional Facility - Coldwater--280.5 | |
| 5 | FTE positions | 32,637,200 |
| 6 | Macomb Correctional Facility - New Haven--294.8 FTE | |
| 7 | positions | 33,853,600 |
| 8 | Marquette Branch Prison - Marquette--321.7 FTE | |
| 9 | positions | 38,368,400 |
| 10 | Michigan Reformatory - Ionia--310.7 FTE positions | 34,564,800 |
| 11 | Muskegon Correctional Facility - Muskegon--205.0 FTE | |
| 12 | positions | 24,325,000 |
| 13 | Newberry Correctional Facility - Newberry--200.1 FTE | |
| 14 | positions | 23,800,300 |
| 15 | Oaks Correctional Facility - Eastlake--290.4 FTE | |
| 16 | positions | 33,349,500 |
| 17 | Ojibway Correctional Facility - Marenisco--203.1 FTE | |
| 18 | positions | 22,938,500 |
| 19 | Parnall Correctional Facility - Jackson--258.0 FTE | |
| 20 | positions | 27,508,600 |
| 21 | Pugsley Correctional Facility - Kingsley--209.9 FTE | |
| 22 | positions | 24,354,900 |
| 23 | Saginaw Correctional Facility - Freeland--274.9 FTE | |
| 24 | positions | 32,184,500 |
| 25 | Special Alternative Incarceration Program - Cassidy | |
| 26 | Lake--119.0 FTE positions | 13,431,500 |
| 27 | St. Louis Correctional Facility - St. Louis--303.6 | |

| | | |
|----|--|----------------------|
| 1 | FTE positions | 35,827,900 |
| 2 | Thumb Correctional Facility - Lapeer--284.4 FTE | |
| 3 | positions | 32,340,300 |
| 4 | Women's Huron Valley Correctional Complex - | |
| 5 | Ypsilanti--501.9 FTE positions..... | 58,003,600 |
| 6 | Woodland Correctional Facility - Whitmore | |
| 7 | Lake--285.4 FTE positions | 32,617,900 |
| 8 | Northern region administration and support--48.0 FTE | |
| 9 | positions | 4,425,700 |
| 10 | Southern region administration and support--132.0 | |
| 11 | FTE positions | <u>24,857,000</u> |
| 12 | GROSS APPROPRIATION..... | \$ 1,124,945,500 |
| 13 | Appropriated from: | |
| 14 | Federal revenues: | |
| 15 | DOJ, state criminal assistance program..... | 1,012,000 |
| 16 | Special revenue funds: | |
| 17 | Local revenues..... | 8,332,300 |
| 18 | State restricted fees, out-of-state prisoners | 99,800 |
| 19 | State general fund/general purpose..... | \$ 1,115,501,400 |
| 20 | Sec. 109. INFORMATION TECHNOLOGY | |
| 21 | Information technology services and projects | \$ <u>23,900,800</u> |
| 22 | GROSS APPROPRIATION..... | \$ 23,900,800 |
| 23 | Appropriated from: | |
| 24 | Special revenue funds: | |
| 25 | Correctional industries revolving fund..... | 175,800 |
| 26 | Parole and probation oversight fees set-aside | 689,500 |
| 27 | State general fund/general purpose..... | \$ 23,035,500 |

Sec. 110. CAPITAL OUTLAY

| | | |
|--------------------------|----|---|
| GROSS APPROPRIATION..... | \$ | 0 |
|--------------------------|----|---|

Appropriated from:

| | | |
|---|----|---|
| State general fund/general purpose..... | \$ | 0 |
|---|----|---|

Sec. 111. ONE-TIME BASIS ONLY APPROPRIATIONS

| | | |
|--------------------------|----|---|
| GROSS APPROPRIATION..... | \$ | 0 |
|--------------------------|----|---|

Appropriated from:

Interdepartmental grant revenues:

Federal revenues:

Special revenue funds:

| | | |
|---|----|---|
| State general fund/general purpose..... | \$ | 0 |
|---|----|---|

PART 2**PROVISIONS CONCERNING APPROPRIATIONS****FOR FISCAL YEAR 2015-2016****GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2015-2016 is \$1,947,399,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2015-2016 is \$114,323,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS

Field operations - assumption of county

| | | |
|-----------------------|----|------------|
| probation staff | \$ | 60,402,900 |
|-----------------------|----|------------|

| | | |
|----|---|------------------|
| 1 | Community corrections comprehensive plans | |
| 2 | and services | 12,158,000 |
| 3 | Reentry services - intensive detention reentry | |
| 4 | program | 1,500,000 |
| 5 | Residential services..... | 15,475,500 |
| 6 | County jail reimbursement program..... | 13,597,100 |
| 7 | Felony drunk driver jail reduction and | |
| 8 | community treatment program | 1,440,100 |
| 9 | Leased beds and alternatives to leased beds | 5,250,000 |
| 10 | Public safety initiative..... | <u>4,500,000</u> |
| 11 | TOTAL..... | \$ 114,323,600 |

12 Sec. 202. The appropriations authorized under this part and
13 part 1 are subject to the management and budget act, 1984 PA 431,
14 MCL 18.1101 to 18.1594.

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

16 (a) "Administrative segregation" means confinement for
17 maintenance of order or discipline to a cell or room apart from
18 accommodations provided for inmates who are participating in
19 programs of the facility.

20 (b) "Cost per prisoner" means the sum total of the funds
21 appropriated under part 1 for the following, divided by the
22 projected prisoner population for the current fiscal year:

- 23 (i) Correctional facilities.
- 24 (ii) Northern and southern region administration and support.
- 25 (iii) Clinical and mental health services and support.
- 26 (iv) Prisoner health care services.
- 27 (v) Vaccination program.

(vi) Prison food service and federal school lunch program.

(vii) Transportation.

(viii) Inmate legal services.

(ix) Correctional facilities administration.

(x) Central records.

(xi) Worker's compensation.

(xii) New custody staff training.

(xiii) Prison store operations.

(xiv) Education program.

(c) "DAG" means the United States Department of Agriculture.

(d) "DAG-FNS" means the DAG Food and Nutrition Service.

(e) "DED" means the United States Department of Education.

(f) "DED-OESE" means the DED Office of Elementary and
Secondary Education.

(g) "DED-OSERS" means the DED Office of Special Education and
Rehabilitative Services.

(h) "DED-OVAE" means the DED Office of Vocational and Adult
Education.

(i) "Department" or "MDOC" means the Michigan department of
corrections.

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

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

(l) "DOJ-OJP" means the DOJ Office of Justice Programs.

(m) "EPIC program" means the department's effective process
improvement and communication program.

(n) "Evidence-based practices" or "EBP" means a decision-
making process that integrates the best available research,

1 clinician expertise, and client characteristics.

2 (o) "FTE" means full-time equated.

3 (p) "Goal" means the intended or projected result of a
4 comprehensive corrections plan or community corrections program to
5 reduce repeat offending, criminogenic and high-risk behaviors,
6 prison commitment rates, to reduce the length of stay in a jail, or
7 to improve the utilization of a jail.

8 (q) "GPS" means global positioning system.

9 (r) "IDG" means interdepartmental grant.

10 (s) "Jail" means a facility operated by a local unit of
11 government for the physical detention and correction of persons
12 charged with or convicted of criminal offenses.

13 (t) "MDCH" means the Michigan department of community health.

14 (u) "MDHS" means the Michigan department of human services.

15 (v) "MDSP" means the Michigan department of state police.

16 (w) "Medicaid benefit" means a benefit paid or payable under a
17 program for medical assistance under the social welfare act, 1939
18 PA 280, MCL 400.1 to 400.119b.

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

25 (y) "OCC" means the office of community corrections.

26 (z) "Offender eligibility criteria" means particular criminal
27 violations, state felony sentencing guidelines descriptors, and

1 offender characteristics developed by advisory boards and approved
2 by local units of government that identify the offenders suitable
3 for community corrections programs funded through the office of
4 community corrections.

5 (aa) "Offender success" means that an offender has, with the
6 support of the community, intervention of the field agent, and
7 benefit of any participation in programs and treatment, made an
8 adjustment while at liberty in the community such that he or she
9 has not been sentenced to or returned to prison for the conviction
10 of a new crime or the revocation of probation or parole.

11 (bb) "Offender target population" means felons or
12 misdemeanants who would likely be sentenced to imprisonment in a
13 state correctional facility or jail, who would not likely increase
14 the risk to the public safety based on an objective risk and needs
15 assessment that indicates that the offender can be safely treated
16 and supervised in the community.

17 (cc) "Offender who would likely be sentenced to imprisonment"
18 means either of the following:

19 (i) A felon or misdemeanor who receives a sentencing
20 disposition that appears to be in place of incarceration in a state
21 correctional facility or jail, according to historical local
22 sentencing patterns.

23 (ii) A currently incarcerated felon or misdemeanor who is
24 granted early release from incarceration to a community corrections
25 program or who is granted early release from incarceration as a
26 result of a community corrections program.

27 (dd) "Programmatic success" means that the department program

1 or initiative has ensured that the offender has accomplished all of
2 the following:

3 (i) Obtained employment, has enrolled or participated in a
4 program of education or job training, or has investigated all bona
5 fide employment opportunities.

6 (ii) Obtained housing.

7 (iii) Obtained a state identification card.

8 (ee) "Recidivism" means the return of an individual to prison
9 within 3 years after he or she is released either with a new
10 sentence to prison or as a technical violator of parole conditions.

11 (ff) "RSAT" means residential substance abuse treatment.

12 (gg) "Serious emotional disturbance" means that term as
13 defined in section 100d(2) of the mental health code, 1974 PA 328,
14 MCL 330.1100d.

15 (hh) "Serious mental illness" means that term as defined in
16 section 100d(3) of the mental health code, 1974 PA 328, MCL
17 330.1100d.

18 (ii) "SSA" means the United States Social Security
19 Administration.

20 (jj) "SSA-SSI" means SSA supplemental security income.

21 Sec. 206. The department shall not take disciplinary action
22 against an employee for communicating with a member of the
23 legislature or his or her staff.

24 Sec. 207. State employees shall be given the opportunity to
25 competitively bid on services that are or were provided by state
26 employees. If the contract is awarded to any state employee, he or
27 she ceases being an employee of the state.

1 Sec. 208. The department shall use the Internet to fulfill the
2 reporting requirements of this part. This requirement may include
3 transmission of reports via electronic mail to the recipients
4 identified for each reporting requirement or it may include
5 placement of reports on an Internet or intranet site.

6 Sec. 209. Funds appropriated in part 1 shall not be used for
7 the purchase of foreign goods or services, or both, if
8 competitively priced and of comparable quality American goods or
9 services, or both, are available. Preference shall be given to
10 goods or services, or both, manufactured or provided by Michigan
11 businesses, if they are competitively priced and of comparable
12 quality. In addition, preference should be given to goods or
13 services, or both, that are manufactured or provided by Michigan
14 businesses owned and operated by veterans, if they are
15 competitively priced and of comparable quality.

16 Sec. 211. The department may charge fees and collect revenues
17 in excess of appropriations in part 1 not to exceed the cost of
18 offender services and programming, employee meals, parolee loans,
19 academic/vocational services, custody escorts, compassionate
20 visits, union steward activities, and public works programs and
21 services provided to local units of government or private nonprofit
22 organizations. The revenues and fees collected are appropriated for
23 all expenses associated with these services and activities.

24 Sec. 212. On a quarterly basis, the department shall report on
25 the number of full-time equated positions in pay status by civil
26 service classification to the senate and house appropriations
27 subcommittees on corrections, the legislative corrections

1 ombudsman, and the senate and house fiscal agencies. This report
2 shall include a detailed accounting of the long-term vacancies that
3 exist within each department. As used in this subsection, "long-
4 term vacancy" means any full-time equated position that has not
5 been filled at any time during the past 24 calendar months.

6 Sec. 214. The department shall receive and retain copies of
7 all reports funded from appropriations in part 1. Federal and state
8 guidelines for short-term and long-term retention of records shall
9 be followed. The department may electronically retain copies of
10 reports unless otherwise required by federal and state guidelines.

11 Sec. 216. The department shall prepare a report on out-of-
12 state travel expenses not later than January 1 of each year. The
13 travel report shall be a listing of all travel by classified and
14 unclassified employees outside this state in the immediately
15 preceding fiscal year that was funded in whole or in part with
16 funds appropriated in the department's budget. The report shall be
17 submitted to the senate and house standing committees on
18 appropriations, the legislative corrections ombudsman, the senate
19 and house fiscal agencies, and the state budget director. The
20 report shall include the following information:

21 (a) The dates of each travel occurrence.

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

27 Sec. 219. (1) Any contract for prisoner telephone services

1 entered into after the effective date of this section shall include
2 a condition that fee schedules for prisoner telephone calls,
3 including rates and any surcharges other than those necessary to
4 meet program and special equipment costs, be the same as fee
5 schedules for calls placed from outside of correctional facilities.

6 (2) Revenues appropriated and collected for program and
7 special equipment funds shall be considered state restricted
8 revenue. Funding will shall be used for prisoner programming,
9 special equipment, and security projects. Unexpended funds
10 remaining at the close of the fiscal year shall not lapse to the
11 general fund but shall be carried forward and be available for
12 appropriation in subsequent fiscal years.

13 (3) The department shall submit a report to the senate and
14 house appropriations subcommittees on corrections, the senate and
15 house fiscal agencies, the legislative corrections ombudsman, and
16 the state budget director by February 1 outlining revenues and
17 expenditures from program and special equipment funds. The report
18 shall include all of the following:

19 (a) A list of all individual projects and purchases financed
20 with program and special equipment funds in the immediately
21 preceding fiscal year, the amounts expended on each project or
22 purchase, and the name of each vendor the products or services were
23 purchased from.

24 (b) A list of planned projects and purchases to be financed
25 with program and special equipment funds during the current fiscal
26 year, the amounts to be expended on each project or purchase, and
27 the name of each vendor for which the products or services were

1 purchased.

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

4 Sec. 220. Not later than November 30, the state budget office
5 shall prepare and transmit a report that provides for estimates of
6 the total general fund/general purpose appropriation lapses at the
7 close of the fiscal year. This report shall summarize the projected
8 year-end general fund/general purpose appropriation lapses by major
9 departmental program or program areas. The report shall be
10 transmitted to the chairpersons of the senate and house of
11 representatives standing committees on appropriations and the
12 senate and house fiscal agencies.

13 Sec. 221. The department shall cooperate with the department
14 of technology, management, and budget to maintain a searchable
15 website accessible by the public at no cost that includes, but is
16 not limited to, all of the following for the department:

17 (a) Fiscal year-to-date expenditures by category.

18 (b) Fiscal year-to-date expenditures by appropriation unit.

19 (c) Fiscal year-to-date payments to a selected vendor,
20 including the vendor name, payment date, payment amount, and
21 payment description.

22 (d) The number of active department employees by job
23 classification.

24 (e) Job specifications and wage rates.

25 Sec. 223. (1) In addition to the funds appropriated in part 1,
26 there is appropriated an amount not to exceed \$10,000,000.00 for
27 federal contingency funds. These funds are not available for

1 expenditure until they have been transferred to another line item
2 in part 1 under section 393(2) of the management and budget act,
3 1984 PA 431, MCL 18.1393.

4 (2) In addition to the funds appropriated in part 1, there is
5 appropriated an amount not to exceed \$10,000,000.00 for state
6 restricted contingency funds. These funds are not available for
7 expenditure until they have been transferred to another line item
8 in part 1 under section 393(2) of the management and budget act,
9 1984 PA 431, MCL 18.1393.

10 (3) In addition to the funds appropriated in part 1, there is
11 appropriated an amount not to exceed \$2,000,000.00 for local
12 contingency funds. These funds are not available for expenditure
13 until they have been transferred to another line item in part 1
14 under section 393(2) of the management and budget act, 1984 PA 431,
15 MCL 18.1393.

16 (4) In addition to the funds appropriated in part 1, there is
17 appropriated an amount not to exceed \$2,000,000.00 for private
18 contingency funds. These funds are not available for expenditure
19 until they have been transferred to another line item in part 1
20 under section 393(2) of the management and budget act, 1984 PA 431,
21 MCL 18.1393.

22 Sec. 229. Within 14 days after the release of the executive
23 budget recommendation, the department shall cooperate with the
24 state budget office to provide the chairpersons of the senate and
25 house appropriations committees, the chairpersons of the senate and
26 house appropriations subcommittees on corrections, and the senate
27 and house fiscal agencies with an annual report on estimated state

1 restricted fund balances, state restricted fund projected revenues,
2 and state restricted fund expenditures for the fiscal years ending
3 September 30, 2015 and September 30, 2016.

4 Sec. 230. Funds appropriated in part 1 shall not be used by
5 the department to hire a person to provide legal services that are
6 the responsibility of the attorney general. This prohibition does
7 not apply to legal services for bonding activities and for those
8 outside services that the attorney general authorizes.

9 Sec. 231. The department shall maintain, on a publicly
10 accessible website, a department scorecard that identifies, tracks,
11 and regularly updates key metrics that are used to monitor and
12 improve the department's performance.

13 Sec. 232. The department shall issue a report to the senate
14 and house appropriations subcommittees on corrections, the senate
15 and house fiscal agencies, and the legislative corrections
16 ombudsman by October 1 that includes the security levels of all
17 prisoners who were classified as past their earliest release date
18 as of March 1 of the prior fiscal year.

19 Sec. 238. It is the intent of the legislature that the
20 department make additional efforts to sell, rent, or otherwise
21 repurpose closed correctional facilities.

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

27 Sec. 246. Total authorized appropriations from all sources

1 under part 1 for legacy costs for the fiscal year ending September
2 30, 2016 are \$332,330,600.00. From this amount, total department
3 appropriations for pension-related legacy costs are estimated at
4 \$188,628,700.00. Total department appropriations for retiree health
5 care legacy costs are estimated at \$143,701,900.00.

6 Sec. 247. In addition to the metrics required under section
7 447 of the management and budget act, 1984 PA 431, MCL 18.1447, for
8 each new program or program enhancement for which funds in excess
9 of \$500,000.00 are appropriated in part 1, the department shall
10 provide not later than November 1, 2015 a list of program-specific
11 metrics intended to measure its performance based on a return on
12 taxpayer investment. The department shall deliver the program-
13 specific metrics to members of the senate and house subcommittees
14 that have subject matter jurisdiction for this budget, fiscal
15 agencies, and the state budget director. The department shall
16 provide an update on its progress in tracking program-specific
17 metrics and the status of program success at an appropriations
18 subcommittee meeting called for by the subcommittee chair.

19 **EXECUTIVE**

20 Sec. 301. For 3 years after a felony offender is released from
21 the department's jurisdiction, the department shall maintain the
22 offender's file on the offender tracking information system and
23 make it publicly accessible in the same manner as the file of the
24 current offender. However, the department shall immediately remove
25 the offender's file from the offender tracking information system
26 upon determination that the offender was wrongfully convicted and

1 the offender's file is not otherwise required to be maintained on
2 the offender tracking information system.

3 Sec. 304. The director of the department shall maintain a
4 staff savings initiative program to invite employees to submit
5 suggestions for saving costs for the department. The proposed
6 savings initiatives shall be accepted or rejected within 30
7 business days. By March 1, the department shall report to the
8 senate and house appropriations subcommittees on corrections, the
9 legislative corrections ombudsman, the senate and house fiscal
10 agencies, and the state budget director on any savings proposals,
11 the date implemented, the amount of the expected savings, and any
12 process improvements that can be implemented in other areas of the
13 department. The report shall also include any rejected savings
14 proposal and the reason that the proposal was refused.

15 Sec. 305. By March 1, the department shall report to the
16 senate and house appropriations subcommittees on corrections, the
17 legislative corrections ombudsman, the senate and house fiscal
18 agencies, and the state budget director on the number of prisoners
19 who committed suicide during the previous calendar year. To the
20 extent permitted by law, the report shall include all of the
21 following information:

22 (a) The prisoner's age, offense, sentence, and admission date.

23 (b) Each prisoner's facility and unit.

24 (c) A description of the circumstances of the suicide.

25 (d) The date of the suicide.

26 (e) Whether the suicide occurred in a housing unit, a
27 segregation unit, a mental health unit, or elsewhere on the grounds

1 of the facility.

2 (f) Whether the prisoner had been denied parole and the date
3 of any denial.

4 (g) Details on the department's responses to each suicide,
5 including immediate on-site responses and subsequent internal
6 investigations.

7 (h) A description of any monitoring and psychiatric
8 interventions that had been undertaken prior to the prisoner's
9 suicide, including any changes in placement or mental health care.

10 (i) Whether the prisoner had previously attempted suicide.

11 **PRISONER REENTRY AND COMMUNITY SUPPORT**

12 Sec. 401. The department shall submit 3-year and 5-year prison
13 population projection updates concurrent with submission of the
14 executive budget to the senate and house appropriations
15 subcommittees on corrections, the legislative corrections
16 ombudsman, the senate and house fiscal agencies, and the state
17 budget director. The report shall include explanations of the
18 methodology and assumptions used in developing the projection
19 updates.

20 Sec. 402. (1) It is the intent of the legislature that the
21 funds appropriated in part 1 for prisoner reentry programs be
22 expended for the purpose of reducing victimization by reducing
23 repeat offending through the following prisoner reentry
24 programming:

25 (a) The provision of employment or employment services and job
26 training.

1 (b) The provision of housing assistance.

2 (c) Referral to mental health services.

3 (d) Referral to substance abuse services.

4 (e) Referral to public health services.

5 (f) Referral to education.

6 (g) Referral to any other services necessary for successful
7 reintegration.

8 (2) By March 1, the department shall provide a report on
9 prisoner reentry expenditures and allocations to the members of the
10 senate and house appropriations subcommittees on corrections, the
11 legislative corrections ombudsman, the senate and house fiscal
12 agencies, and the state budget director. At a minimum, the report
13 shall include information on both of the following:

14 (a) Details on prior-year expenditures, including amounts
15 spent on each project funded, itemized by service provided and
16 service provider.

17 (b) Allocations and planned expenditures for each project
18 funded and for each project to be funded, itemized by service to be
19 provided and service provider. The department shall provide an
20 amended report quarterly, if any revisions to allocations or
21 planned expenditures occurred during that quarter.

22 Sec. 403. By February 1, the department shall report to the
23 senate and house appropriations subcommittees on corrections, the
24 legislative corrections ombudsman, the senate and house fiscal
25 agencies, and the state budget director on the department's EPIC
26 program. The report shall include the following: the exact scope
27 and purpose of the EPIC program, the areas of the department that

1 have received any EPIC resources, the line items in part 1 that are
2 expected to recognize savings due to the EPIC program, the
3 identified areas of the department where the EPIC program has
4 changed the department's policy, and the number of the full-time
5 equivalent positions in the department that are assigned to the
6 EPIC program during the prior fiscal year.

7 Sec. 405. By March 1, the department shall report to the
8 senate and house appropriations subcommittees on corrections, the
9 legislative corrections ombudsman, the senate and house fiscal
10 agencies, and the state budget director on substance abuse testing
11 and treatment program objectives, outcome measures, and results,
12 including program impact on offender success and programmatic
13 success as those terms are defined in section 203.

14 Sec. 406. From the funds appropriated in part 1, the
15 department shall provide an interdepartmental grant to the
16 department of human services to expand the swift and sure sanctions
17 program through Michigan rehabilitative services. The department
18 shall allocate not less than \$1,000,000.00 for the purpose
19 described in this section and shall establish an interagency
20 agreement with the department of human services and judicial branch
21 to carry out this purpose. These funds shall be used to contract
22 with accredited, community-based rehabilitation organizations for
23 job placement and other support services and to assist individuals
24 who have a history of probation and parole violations, who have
25 exceptional mental health needs, and who meet the profile of the
26 current customer base of Michigan rehabilitative services and shall
27 not be used for individuals who are currently incarcerated.

1 Sec. 407. By June 30, the department shall place the
2 statistical report from the immediately preceding calendar year on
3 an Internet site. The statistical report shall include, but not be
4 limited to, the information as provided in the 2004 statistical
5 report.

6 Sec. 408. The department shall measure the recidivism rates of
7 offenders.

8 Sec. 409. (1) The department shall engage with state agencies
9 and local entities to coordinate services and shall use
10 appropriations provided in part 1 for reentry and vocational
11 education programs designed through collaboration with Michigan's
12 workforce development system. The department shall ensure that the
13 collaboration provides relevant professional development
14 opportunities to prisoners to ensure that the programs are high
15 quality, demand driven, locally receptive, and responsive to the
16 needs of communities where the prisoners are expected to reside
17 after their release from correctional facilities. The programs
18 shall begin upon the intake of the prisoner into a department
19 facility.

20 (2) It is the intent of the legislature that the workforce
21 development programming continue through the entire duration of the
22 prisoner's incarceration to encourage employment upon release.

23 (3) By March 1, the department shall provide a report to the
24 senate and house appropriations subcommittees on corrections, the
25 legislative corrections ombudsman, and the senate and house fiscal
26 agencies detailing the results of the workforce development
27 program.

1 Sec. 410. (1) The funds included in part 1 for community
2 corrections comprehensive plans and services are to encourage the
3 development through technical assistance grants, implementation,
4 and operation of community corrections programs that enhance
5 offender success and that also may serve as an alternative to
6 incarceration in a state facility or jail. The comprehensive
7 corrections plans shall include an explanation of how the public
8 safety will be maintained, the goals for the local jurisdiction,
9 offender target populations intended to be affected, offender
10 eligibility criteria for purposes outlined in the plan, and how the
11 plans will meet the following objectives, consistent with section
12 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

13 (a) Reduce admissions to prison of offenders who would likely
14 be sentenced to imprisonment, including probation violators.

15 (b) Improve the appropriate utilization of jail facilities,
16 the first priority of which is to open jail beds intended to house
17 otherwise prison-bound felons, and the second priority being to
18 appropriately utilize jail beds so that jail crowding does not
19 occur.

20 (c) Open jail beds through the increase of pretrial release
21 options.

22 (d) Reduce the readmission to prison of parole violators.

23 (e) Reduce the admission or readmission to prison of
24 offenders, including probation violators and parole violators, for
25 substance abuse violations.

26 (f) Contribute to offender success, as that term is defined in
27 section 203.

1 (2) The award of community corrections comprehensive plans and
2 residential services funds shall be based on criteria that include,
3 but are not limited to, the prison commitment rate by category of
4 offenders, trends in prison commitment rates and jail utilization,
5 historical trends in community corrections program capacity and
6 program utilization, and the projected impact and outcome of annual
7 policies and procedures of programs on offender success, prison
8 commitment rates, and jail utilization.

9 (3) Funds awarded for residential services in part 1 shall
10 provide for a per diem reimbursement of not more than \$47.50 for
11 nonaccredited facilities, or of not more than \$48.50 for facilities
12 that have been accredited by the American Corrections Association
13 or a similar organization as approved by the department.

14 Sec. 411. The comprehensive corrections plans shall also
15 include, where appropriate, descriptive information on the full
16 range of sanctions and services that are available and utilized
17 within the local jurisdiction and an explanation of how jail beds,
18 residential services, the special alternative incarceration
19 program, probation detention centers, the electronic monitoring
20 program for probationers, and treatment and rehabilitative services
21 will be utilized to support the objectives and priorities of the
22 comprehensive corrections plans and the purposes and priorities of
23 section 8(4) of the community corrections act, 1988 PA 511, MCL
24 791.408, that contribute to the success of offenders. The plans
25 shall also include, where appropriate, provisions that detail how
26 the local communities plan to respond to sentencing guidelines
27 found in chapter XVII of the code of criminal procedure, 1927 PA

1 175, MCL 777.1 to 777.69, and use the county jail reimbursement
2 program under section 414. The state community corrections board
3 shall encourage local community corrections advisory boards to
4 include in their comprehensive corrections plans strategies to
5 collaborate with local alcohol and drug treatment agencies of the
6 MDCH for the provision of alcohol and drug screening, assessment,
7 case management planning, and delivery of treatment to alcohol- and
8 drug-involved offenders.

9 Sec. 412. (1) As part of the March biannual report specified
10 in section 12(2) of the community corrections act, 1988 PA 511, MCL
11 791.412, that requires an analysis of the impact of that act on
12 prison admissions and jail utilization, the department shall submit
13 to the senate and house appropriations subcommittees on
14 corrections, the legislative corrections ombudsman, the senate and
15 house fiscal agencies, and the state budget director the following
16 information for each county and counties consolidated for
17 comprehensive corrections plans:

18 (a) Approved technical assistance grants and comprehensive
19 corrections plans including each program and level of funding, the
20 utilization level of each program, and profile information of
21 enrolled offenders.

22 (b) If federal funds are made available, the number of
23 participants funded, the number served, the number successfully
24 completing the program, and a summary of the program activity.

25 (c) Status of the community corrections information system and
26 the jail population information system.

27 (d) Data on residential services, including participant data,

1 participant sentencing guideline scores, program expenditures,
2 average length of stay, and bed utilization data.

3 (e) Offender disposition data by sentencing guideline range,
4 by disposition type, by prior record variable score, by number and
5 percent statewide and by county, current year, and comparisons to
6 the previous 3 years.

7 (f) Data on the use of funding made available under the felony
8 drunk driver jail reduction and community treatment program.

9 (2) The report required under subsection (1) shall include the
10 total funding allocated, program expenditures, required program
11 data, and year-to-date totals.

12 Sec. 413. (1) The department shall identify and coordinate
13 information regarding the availability of and the demand for
14 community corrections programs, jail-based community corrections
15 programs, jail-based probation violation sanctions, and all state-
16 required jail data.

17 (2) The department is responsible for the collection,
18 analysis, and reporting of all state-required jail data.

19 (3) As a prerequisite to participation in the programs and
20 services offered through the department, counties shall provide
21 necessary jail data to the department.

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

26 (2) The county jail reimbursement program shall reimburse
27 counties for convicted felons in the custody of the sheriff if the

1 conviction was for a crime committed on or after January 1, 1999
2 and 1 of the following applies:

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

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

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

18 (3) State reimbursement under this subsection shall be \$60.00
19 per diem per diverted offender for offenders with a presumptive
20 prison guideline score, \$50.00 per diem per diverted offender for
21 offenders with a straddle cell guideline for a group 1 crime, and
22 \$35.00 per diem per diverted offender for offenders with a straddle
23 cell guideline for a group 2 crime. Reimbursements shall be paid
24 for sentences up to a 1-year total.

25 (4) As used in this subsection:

26 (a) "Group 1 crime" means a crime in 1 or more of the
27 following offense categories: arson, assault, assaultive other,

1 burglary, criminal sexual conduct, homicide or resulting in death,
2 other sex offenses, robbery, and weapon possession as determined by
3 the department of corrections based on specific crimes for which
4 counties received reimbursement under the county jail reimbursement
5 program in fiscal year 2007 and fiscal year 2008, and listed in the
6 county jail reimbursement program document titled "FY 2007 and FY
7 2008 Group One Crimes Reimbursed", dated March 31, 2009.

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

12 (c) "In the custody of the sheriff" means that the convicted
13 felon has been sentenced to the county jail and is either housed in
14 the county jail or has been released from jail and is being
15 monitored through the use of the sheriff's electronic monitoring
16 system.

17 (5) County jail reimbursement program expenditures shall not
18 exceed the amount appropriated in part 1 for the county jail
19 reimbursement program. Payments to counties under the county jail
20 reimbursement program shall be made in the order in which properly
21 documented requests for reimbursements are received. A request
22 shall be considered to be properly documented if it meets MDOC
23 requirements for documentation. By October 15, the department shall
24 distribute the documentation requirements to all counties.

25 (6) From the funds appropriated under part 1, the department
26 shall provide reimbursements to the participating counties on
27 October 1 at the amount that was paid to participating counties in

1 the immediate preceding fiscal year. Funds appropriated under this
2 subsection constitute a prepayment of county jail reimbursements
3 for participation in the county jail reimbursement program. Any
4 difference in expenditures between reimbursements provided on
5 October 1 and the actual current fiscal year county jail
6 reimbursement amounts will be considered a prepaid reimbursement
7 balance between the participating counties and the department. Any
8 unused prepaid reimbursement balance will be considered a future
9 obligation under which counties will house certain felons under the
10 county jail reimbursement program.

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

17 Sec. 416. Allowable uses of felony drunk driver jail reduction
18 and community treatment program funding shall include reimbursing
19 counties for transportation, treatment costs, and housing felony
20 drunk drivers during a period of assessment for treatment and case
21 planning. Reimbursements for housing during the assessment process
22 shall be at the rate of \$43.50 per day per offender, up to a
23 maximum of 5 days per offender.

24 Sec. 417. (1) By March 1, the department shall report to the
25 members of the senate and house appropriations subcommittees on
26 corrections, the legislative corrections ombudsman, the senate and
27 house fiscal agencies, and the state budget director on each of the

1 following programs from the previous fiscal year:

2 (a) The county jail reimbursement program.

3 (b) The felony drunk driver jail reduction and community
4 treatment program.

5 (c) Any new initiatives to control prison population growth
6 funded or proposed to be funded under part 1.

7 (2) For each program listed under subsection (1), the report
8 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 MDCH to create and
27 maintain a process by which prisoners can obtain their Michigan

1 birth certificates if necessary. The department shall describe a
2 process for obtaining birth certificates from other states, and in
3 situations where the prisoner's effort fails, the department shall
4 assist in obtaining the birth certificate.

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

9 Sec. 419. (1) The department shall provide weekly electronic
10 mail reports to the senate and house appropriations subcommittees
11 on corrections, the legislative corrections ombudsman, the senate
12 and house fiscal agencies, and the state budget director on
13 prisoner, parolee, and probationer populations by facility, and
14 prison capacities.

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

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

26 (b) Parole populations.

27 (c) Probation populations, with identification of the number

1 in special alternative incarceration.

2 (d) Prison and camp populations, with separate identification
3 of the number in special alternative incarceration and the number
4 of lifers.

5 (e) Parole board activity, including the numbers and
6 percentages of parole grants and parole denials.

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

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

17 Sec. 420. By March 1, the department shall report to the
18 senate and house appropriations subcommittees on corrections, the
19 senate and house judiciary committees, the legislative corrections
20 ombudsman, the senate and house fiscal agencies, and the state
21 budget director on performance data and efforts to improve
22 efficiencies relative to departmental staffing, health care
23 services, food service, prisoner transportation, mental health care
24 services, and pharmaceutical costs.

25 Sec. 421. (1) Funds appropriated in part 1 for the parole
26 sanction certainty pilot program shall be distributed to an
27 American Correctional Association accredited rehabilitation

1 organization operating in any of the following counties: Berrien,
2 Calhoun, Kalamazoo, Macomb, Muskegon, Oakland, and Wayne for
3 operations and administration of the pilot program. The pilot
4 program may be utilized as a condition of parole for technical
5 parole violators to ensure public safety and justice through a
6 program based on evidence-based tactics and programs.

7 (2) The program or programs selected shall report by March 30
8 to the department, the senate and house appropriations
9 subcommittees on corrections, the senate and house fiscal agencies,
10 the legislative corrections ombudsman, and the state budget
11 director. The report shall include program performance
12 measurements, the number of individuals who participate in the
13 pilot program, the number of individuals who return to prison after
14 participating, and outcomes of participants who complete the
15 program.

16 Sec. 434. The department shall explore opportunities to
17 collaborate with Michigan colleges and universities on establishing
18 programs that will employ parolees in agricultural settings.

19 Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip
20 the Script shall be distributed to a Michigan-chartered 501(c)(3)
21 nonprofit corporation operating in a county with greater than
22 1,500,000 people for administration and expansion of a program
23 which serves a population of persons aged 16-29. The expansion of
24 the program shall be operational by November 1. The existing
25 program to be expanded shall target those who are entering the
26 criminal justice system for the first or second time and shall
27 assist those individuals through the following program types:

1 (a) Alternative sentencing programs in partnership with a
2 local district or circuit court.

3 (b) Educational recovery for special adult populations with
4 high rates of illiteracy.

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

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

13 **BUDGET AND OPERATIONS ADMINISTRATION**

14 Sec. 501. From the funds appropriated in part 1 for
15 prosecutorial and detainer expenses, the department shall reimburse
16 counties for housing and custody of parole violators and offenders
17 being returned by the department from community placement who are
18 available for return to institutional status and for prisoners who
19 volunteer for placement in a county jail.

20 Sec. 502. Funds included in part 1 for the sheriffs'
21 coordinating and training office are appropriated for and may be
22 expended to defray costs of continuing education, certification,
23 recertification, decertification, and training of local corrections
24 officers, the personnel and administrative costs of the sheriffs'
25 coordinating and training office, the local corrections officers
26 advisory board, and the sheriffs' coordinating and training council

1 under the local corrections officers training act, 2003 PA 125, MCL
2 791.531 to 791.546.

3 Sec. 505. The department shall provide for the training of all
4 custody staff in effective and safe ways of handling prisoners with
5 mental illness and referring prisoners to mental health treatment
6 programs. Mental health awareness training shall be incorporated
7 into the training and new custody staff.

8 Sec. 509. (1) The department shall conduct a study on the
9 Michigan state industries program. The study shall focus on
10 determining which industries within the 10 identified prosperity
11 regions in this state have the maximum benefit to the prisoner
12 population in providing marketable skills and leading to employable
13 outcomes after release of the prisoner from a department facility.
14 The report shall also include data on the current labor force
15 trends in the prosperity regions of this state and how the
16 operations of Michigan state industries can work in coordination
17 with local communities to determine the industries that would
18 produce the greatest number of employable prisoners upon release.

19 (2) By December 1, the department shall provide a report to
20 the senate and house appropriations subcommittees on corrections,
21 the senate and house fiscal agencies, and the legislative
22 corrections ombudsman detailing the results and recommendations
23 from the study on Michigan state industries described in subsection
24 (1).

25 Sec. 511. (1) By February 1, the department shall provide a
26 report to the senate and house appropriations subcommittees on
27 corrections, the senate and house fiscal agencies, the legislative

1 corrections ombudsman, and the state budget director which details
2 the strategic plan of the department. The report shall contain
3 strategies to decrease the overall recidivism rate, measurable
4 plans to increase the rehabilitative function of correctional
5 facilities, metrics to track and ensure prisoner readiness to re-
6 enter society, and constructive actions for providing prisoners
7 with life skills development.

8 (2) The intent of this report is to express that the mission
9 of the department is to provide an action plan before reentry to
10 society that ensures prisoners' readiness for meeting parole
11 requirements and ensures a reduction in the total number of
12 released inmates who reenter the criminal justice system.

13 **FIELD OPERATIONS ADMINISTRATION**

14 Sec. 601. (1) From the funds appropriated in part 1, the
15 department shall conduct a statewide caseload audit of field
16 agents. The audit shall address public protection issues and assess
17 the ability of the field agents to complete their professional
18 duties. The complete audit shall be submitted to the senate and
19 house appropriations subcommittees on corrections, the legislative
20 corrections ombudsman, the senate and house fiscal agencies, and
21 the state budget office by March 1.

22 (2) It is the intent of the legislature that the department
23 maintain a number of field agents sufficient to meet supervision
24 and workload standards.

25 Sec. 603. (1) All prisoners, probationers, and parolees
26 involved with the electronic tether program shall reimburse the

1 department for costs associated with their participation in the
2 program. The department may require community service work
3 reimbursement as a means of payment for those able-bodied
4 individuals unable to pay for the costs of the equipment.

5 (2) Program participant contributions and local community
6 tether program reimbursement for the electronic tether program
7 appropriated in part 1 are related to program expenditures and may
8 be used to offset expenditures for this purpose.

9 (3) Included in the appropriation in part 1 is adequate
10 funding to implement the community tether program to be
11 administered by the department. The community tether program is
12 intended to provide sentencing judges and county sheriffs in
13 coordination with local community corrections advisory boards
14 access to the state's electronic tether program to reduce prison
15 admissions and improve local jail utilization. The department shall
16 determine the appropriate distribution of the tether units
17 throughout the state based upon locally developed comprehensive
18 corrections plans under the community corrections act, 1988 PA 511,
19 MCL 791.401 to 791.414.

20 (4) For a fee determined by the department, the department
21 shall provide counties with the tether equipment, replacement
22 parts, administrative oversight of the equipment's operation,
23 notification of violators, and periodic reports regarding county
24 program participants. Counties are responsible for tether equipment
25 installation and service. For an additional fee as determined by
26 the department, the department shall provide staff to install and
27 service the equipment. Counties are responsible for the

1 coordination and apprehension of program violators.

2 (5) Any county with tether charges outstanding over 60 days
3 shall be considered in violation of the community tether program
4 agreement and lose access to the program.

5 Sec. 608. By March 1, the department shall report to the
6 senate and house appropriations subcommittees on corrections, the
7 legislative corrections ombudsman, the senate and house fiscal
8 agencies, and the state budget director on the use of electronic
9 monitoring. At a minimum, the report shall include all of the
10 following:

11 (a) Details on the failure rate of parolees for whom GPS
12 tether is utilized, including the number and rate of parolee
13 technical violations, including specifying failures due to
14 committing a new crime that is uncharged but leads to parole
15 termination, and the number and rate of parolee violators with new
16 sentences.

17 (b) Information on the factors considered in determining
18 whether an offender is placed on active GPS tether, passive GPS
19 tether, radio frequency tether, or some combination of these or
20 other types of electronic monitoring.

21 (c) Monthly data on the number of offenders on active GPS
22 tether, passive GPS tether, radio frequency tether, and any other
23 type of tether.

24 Sec. 611. The department shall prepare by March 1 individual
25 reports for the community reentry program, the electronic tether
26 program, and the special alternative to incarceration program. The
27 reports shall be submitted to the senate and house appropriations

1 subcommittees on corrections, the legislative corrections
2 ombudsman, the senate and house fiscal agencies, and the state
3 budget director. Each program's report shall include information on
4 all of the following:

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

11 (b) Monthly participant unsuccessful terminations, including
12 cause.

13 (c) Number of successful terminations.

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

15 (e) Average length of placement.

16 (f) Return to prison statistics.

17 (g) Description of each program location or locations,
18 capacity, and staffing.

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

21 (i) Comparison with prior year statistics.

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

24 Sec. 612. (1) The department shall review and revise as
25 necessary policy proposals that provide alternatives to prison for
26 offenders being sentenced to prison as a result of technical
27 probation violations and technical parole violations. To the extent

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

8 (2) To the extent policies or programs described in subsection
9 (1) are used, developed, or contracted for, the department may
10 request that funds appropriated in part 1 be transferred under
11 section 393(2) of the management and budget act, 1984 PA 431, MCL
12 18.1393, for their operation.

13 (3) The department shall continue to utilize parole violator
14 processing guidelines that require parole agents to utilize all
15 available appropriate community-based, nonincarcerative postrelease
16 sanctions and services when appropriate. The department shall
17 periodically evaluate such guidelines for modification, in response
18 to emerging information from the demonstration projects for
19 substance abuse treatment provided under this part and applicable
20 provisions of prior budget acts for the department.

21 (4) The department shall provide annual reports to the senate
22 and house appropriations subcommittees on corrections, the
23 legislative corrections ombudsman, the senate and house fiscal
24 agencies, and the state budget director on the number of all
25 parolees returned to prison and probationers sentenced to prison
26 for either a technical violation or new sentence during the
27 preceding calendar quarter. The reports shall include the following

1 information each for probationers, parolees after their first
2 parole, and parolees who have been paroled more than once:

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

7 (b) The numbers of parole and probation violators returned to
8 or sent to prison for a technical violation and the type of
9 violation, including, but not limited to, zero gun tolerance and
10 substance abuse violations. For parole technical rule violators,
11 the report shall list violations by type, by length of time since
12 release from prison, by the most recent violation, and by the
13 number of violations occurring since release from prison.

14 (c) The educational history of those offenders, including how
15 many had a high school equivalency or high school diploma prior to
16 incarceration in prison, how many received a high school
17 equivalency while in prison, and how many received a vocational
18 certificate while in prison.

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

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

24 Sec. 615. The department shall submit a report containing a
25 list detailing the number of prisoners who have received life
26 imprisonment sentences with the possibility of parole and who are
27 currently eligible for parole to the senate and house

1 appropriations subcommittees on corrections, the senate and house
2 fiscal agencies, the legislative corrections ombudsman, and the
3 state budget director by January 1.

4 **HEALTH CARE**

5 Sec. 802. As a condition of expenditure of the funds
6 appropriated in part 1, the department shall provide the senate and
7 house of representatives appropriations subcommittees on
8 corrections, the legislative corrections ombudsman, the senate and
9 house fiscal agencies, and the state budget director with all of
10 the following:

11 (a) Quarterly reports on physical and mental health care
12 detailing quarterly and fiscal year-to-date expenditures itemized
13 by vendor, allocations, status of payments from contractors to
14 vendors, and projected year-end expenditures from accounts for
15 prisoner health care, mental health care, pharmaceutical services,
16 and durable medical equipment.

17 (b) Regular updates on progress on requests for proposals and
18 requests for information pertaining to prisoner health care and
19 mental health care, until the applicable contract is approved.

20 Sec. 803. (1) The department shall establish a standard
21 medical release form for all prisoners by October 1.

22 (2) The department shall assure that all prisoners, upon any
23 health care treatment, are given the opportunity to sign a release
24 of information form designating a family member or other individual
25 to whom the department shall release records information regarding
26 a prisoner. A release of information form signed by a prisoner

1 shall remain in effect for 1 year, and the prisoner may elect to
2 withdraw or amend the release form at any time.

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

6 (4) The form shall be placed on an online, public website
7 managed by the department.

8 Sec. 804. (1) The department shall report quarterly to the
9 senate and house appropriations subcommittees on corrections, the
10 legislative corrections ombudsman, the senate and house fiscal
11 agencies, and the state budget director on prisoner health care
12 utilization. The report shall include the number of inpatient
13 hospital days, outpatient visits, and emergency room visits in the
14 previous quarter, by facility.

15 (2) By March 1, the department shall report to the senate and
16 house appropriations subcommittees on corrections, the legislative
17 corrections ombudsman, the senate and house fiscal agencies, and
18 the state budget director on prisoners receiving off-site inpatient
19 medical care that would have received care in a state correctional
20 facility if beds were available. The report shall include the
21 number of prisoners receiving off-site inpatient medical care and
22 average length of stay in an off-site facility during the period
23 they would have received care in a state correctional facility if
24 beds were available, by month and correctional facilities.

25 Sec. 805. If a prisoner aged 26 years or under is determined
26 not to be eligible for Medicaid, the department shall determine
27 whether the prisoner is eligible for dependent health insurance

1 coverage.

2 Sec. 812. (1) The department shall provide the department of
3 human services with a monthly list of prisoners newly committed to
4 the department of corrections. The department and the department of
5 human services shall enter into an interagency agreement under
6 which the department of human services provides the department of
7 corrections with monthly lists of newly committed prisoners who are
8 eligible for Medicaid benefits in order to maintain the process by
9 which Medicaid benefits are suspended rather than terminated. The
10 department shall assist prisoners who may be eligible for Medicaid
11 benefits after release from prison with the Medicaid enrollment
12 process prior to release from prison.

13 (2) The department shall provide the senate and house
14 appropriations subcommittees on corrections, the legislative
15 corrections ombudsman, the senate and house fiscal agencies, and
16 the state budget director with quarterly updates on the utilization
17 of Medicaid benefits for prisoners.

18 Sec. 814. The department shall assure that psychotropic
19 medications are available, when deemed medically necessary by a
20 licensed medical service provider, to prisoners who have mental
21 illness diagnoses but are not enrolled in corrections mental health
22 services.

23 Sec. 816. By April 1, the department shall provide the members
24 of the senate and house appropriations subcommittees on
25 corrections, the senate and house fiscal agencies, the state budget
26 director, and the legislative corrections ombudsman with a report
27 on pharmaceutical expenditures and prescribing practices. In

1 particular, the report shall provide the following information:

2 (a) A detailed accounting of expenditures on antipsychotic
3 medications.

4 (b) Any changes that have been made to the prescription drug
5 formularies.

6 **CORRECTIONAL FACILITIES ADMINISTRATION**

7 Sec. 904. The department shall calculate the per prisoner/per
8 day cost for each prisoner security custody level as well as the
9 marginal cost per prisoner by the following age cohorts: less than
10 20 years of age, 20-24 years of age, 25-29 years of age, 30-34
11 years of age, 35-39 years of age, 40-44 years of age, 45-49 years
12 of age, 50-54 years of age, 55-59 years of age, 60-64 years of age,
13 65-69 years of age, 70-74 years of age, 75-79 years of age, and
14 greater than 80 years of age. This calculation shall include all
15 actual direct and indirect costs for the previous fiscal year,
16 including, but not limited to, the value of services provided to
17 the department by other state agencies and the allocation of
18 statewide legacy costs. To calculate the per prisoner/per day
19 costs, the department shall divide these direct and indirect costs
20 by the average daily population for each custody level. For
21 multilevel facilities, the indirect costs that cannot be accurately
22 allocated to each custody level can be included in the calculation
23 on a per-prisoner basis for each facility. Marginal cost per
24 prisoner by age cohort shall be calculated under the assumptions
25 made by the department under prior marginal cost analysis. A report
26 summarizing these calculations and the direct and indirect costs

1 included in them shall be submitted to the senate and house
2 appropriations subcommittees on corrections, the legislative
3 corrections ombudsman, the senate and house fiscal agencies, and
4 the state budget director not later than December 15.

5 Sec. 906. Any local unit of government or private nonprofit
6 organization that contracts with the department for public works
7 services shall be responsible for financing the entire cost of such
8 an agreement.

9 Sec. 907. The department shall report by March 1 to the senate
10 and house appropriations subcommittees on corrections, the
11 legislative corrections ombudsman, the senate and house fiscal
12 agencies, and the state budget director on academic and vocational
13 programs. The report shall provide information relevant to an
14 assessment of the department's academic and vocational programs,
15 including, but not limited to, all of the following:

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

18 (b) The number of prisoners enrolled in each program, the
19 number of prisoners completing each program, the number of
20 prisoners who fail each program, the number of prisoners who do not
21 complete each program and the reason for not completing the
22 program, the number of prisoners transferred to another facility
23 while enrolled in a program and the reason for transfer, the number
24 of prisoners enrolled who are repeating the program by reason, and
25 the number of prisoners on waiting lists for each program, all
26 itemized by facility.

27 (c) The steps the department has undertaken to improve

1 programs, track records, accommodate transfers and prisoners with
2 health care needs, and reduce waiting lists.

3 (d) The number of prisoners paroled without a high school
4 diploma and the number of prisoners paroled without a high school
5 equivalency.

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

9 (f) An identification of program outcomes for each academic
10 and vocational program.

11 (g) An explanation of the department's plans for academic and
12 vocational programs, including plans to contract with intermediate
13 school districts for high school equivalency and high school
14 diploma programs.

15 (h) The number of prisoners not paroled at their earliest
16 release date due to lack of a high school equivalency, and the
17 reason those prisoners have not obtained a high school equivalency.

18 Sec. 910. The department shall allow the Michigan Braille
19 transcribing fund program to operate at its current location. The
20 donation of the building by the Michigan Braille transcribing fund
21 at the G. Robert Cotton Correctional Facility in Jackson is
22 acknowledged and appreciated. The department shall continue to
23 encourage the Michigan Braille transcribing fund program to produce
24 high-quality materials for use by the visually impaired.

25 Sec. 911. By March 1, the department shall report to the
26 senate and house appropriations subcommittees on corrections, the
27 senate and house fiscal agencies, the legislative corrections

1 ombudsman, and the state budget director the number of critical
2 incidents occurring each month by type and the number and severity
3 of assaults and escape attempts occurring each month at each
4 facility during the immediately preceding calendar year.

5 Sec. 912. The department shall report to the senate and house
6 appropriations subcommittees on corrections, the legislative
7 corrections ombudsman, the senate and house fiscal agencies, and
8 the state budget director by March 1 on the ratio of correctional
9 officers to prisoners for each correctional institution, the ratio
10 of shift command staff to line custody staff, and the ratio of
11 noncustody institutional staff to prisoners for each correctional
12 institution.

13 Sec. 913. (1) It is the intent of the legislature that any
14 prisoner required to complete a violence prevention program, sexual
15 offender program, or other program as a condition of parole shall
16 be transferred to a facility where that program is available in
17 order to accomplish timely completion of that program prior to the
18 expiration of his or her minimum sentence and eligibility for
19 parole. Nothing in this section should be deemed to make parole
20 denial appealable in court.

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

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

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

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

7 Sec. 915. The department shall explore opportunities to
8 collaborate with Michigan universities and community colleges on
9 establishing programs that will allow undergraduate and graduate
10 students to work in correctional facilities to teach programming
11 that is a condition of parole. The intent of the legislature is
12 that undergraduate and graduate students teaching in correctional
13 facilities will result in a cost savings for the department and
14 will reduce the number of individuals who are past their earliest
15 release dates due to the inability to obtain programming.

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

1 serious mental illness or serious developmental disorder who is
2 confined in these specialized housing programs shall be evaluated
3 or monitored by a medical professional at a frequency of not less
4 than every 12 hours.

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

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

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

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

21 (c) Implement a specialized reentry program that recognizes
22 the needs of prisoners less than 18 years old for supervised
23 reentry.

24 Sec. 937. The department shall not issue a request for
25 proposal (RFP) for a contract in excess of \$5,000,000.00, unless
26 the department has first considered issuing a request for
27 information (RFI) or a request for qualification (RFQ) relative to

1 that contract to better enable the department to learn more about
2 the market for the products or services that are the subject of the
3 future RFP. The department shall notify the department of
4 technology, management, and budget of the evaluation process used
5 to determine if an RFI or RFQ was not necessary prior to issuing
6 the RFP.

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

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

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

26 **MISCELLANEOUS**

1 Sec. 1009. The department shall make an information packet for
2 the families of incoming prisoners available on the department's
3 website. The information packet shall be updated by February 1 of
4 each year thereafter. The packet shall provide information on
5 topics including, but not limited to: how to put money into
6 prisoner accounts, how to make phone calls or create Jpay email
7 accounts, how to visit in person, proper procedures for filing
8 complaints or grievances, the rights of prisoners to physical and
9 mental health care, how to utilize the offender tracking
10 information system (OTIS), truth-in-sentencing and how it applies
11 to minimum sentences, the parole process, and guidance on the
12 importance of the role of families in the reentry process. The
13 department is encouraged to partner with external advocacy groups
14 and actual families of prisoners in the packet-writing process to
15 ensure that the information is useful and complete.

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

25 PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
FOR FISCAL YEAR 2016-2017

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2017 for the line items listed in part 1. The fiscal year 2016-2017 appropriations are anticipated to be the same as those for fiscal year 2015-2016, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2016 consensus revenue estimating conference.