

HOUSE BILL No. 4376

February 26, 1991, Introduced by Reps. Kilpatrick, Hoffman, DeMars, Walberg, Nye, McNutt, Barns, Knight and Robertson and referred to the Committee on House Oversight.

A bill to amend section 1a of Act No. 253 of the Public Acts of 1935, entitled as amended

"The state correctional facility reimbursement act,"

as added by Act No. 282 of the Public Acts of 1984, being section 800.401a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1a of Act No. 253 of the Public Acts of
2 1935, as added by Act No. 282 of the Public Acts of 1984, being
3 section 800.401a of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 1a. As used in this act:

6 (a) "Assets" means property, tangible or intangible, real or
7 personal, belonging to or due a prisoner or former prisoner
8 including income or payments to ~~such~~ THE prisoner from social
9 security, worker's compensation, veteran's compensation, pension

1 benefits, previously earned salary or wages, bonuses, annuities,
2 retirement benefits, or from any other source whatsoever, but
3 does not include any of the following:

4 (i) The homestead of the prisoner up to \$50,000.00 in
5 value.

6 (ii) Money received by the prisoner from the state as set-
7 tlement of a claim against the department by the prisoner.

8 (iii) A money judgment received by the prisoner from the
9 state as the result of a civil action in which the department was
10 a named defendant and found to be liable.

11 (iv) Money saved by the prisoner from wages and bonuses paid
12 the prisoner while he or she was confined to a state correctional
13 facility.

14 (b) "Cost of care" means the cost to the department of cor-
15 rections for providing transportation, room, board, clothing,
16 security, medical, and other normal living expenses of prisoners
17 under the jurisdiction of the department, as determined by the
18 ~~commission of corrections~~ DIRECTOR.

19 (c) "Department" means the department of corrections of this
20 state.

21 (d) "Director" means the director of the department.

22 (e) "Prisoner" means any person who is under the jurisdic-
23 tion of the department and is either confined in any state cor-
24 rectional facility or is under the continuing jurisdiction of the
25 department.

26 (f) "State correctional facility" means a facility or
27 institution which houses a prisoner population under the

1 jurisdiction of the department. State correctional facility
2 includes a correctional camp, community correction center, state
3 prison, and a state reformatory.

4 Section 2. This amendatory act shall not take effect unless
5 Senate Bill No. _____ or House Bill No. 4370 (request
6 no. 02155'91) of the 86th Legislature is enacted into law.