

HOUSE BILL No. 4789

May 6, 1991, Introduced by Reps. Hoffman, Bartnik, Nye, Middaugh, Bouchard, Bobier, London, Dobb, Willis Bullard, Munsell, Dobronski, Walberg, Jaye, Martin, Gilmer and Byrum and referred to the Committee on Corrections.

A bill to amend Act No. 232 of the Public Acts of 1953,
entitled as amended

"An act to revise, consolidate, and codify the laws relating to probationers and probation officers as herein defined, to pardons, reprieves, commutations, and paroles, to the administration of penal institutions, correctional farms, and probation recovery camps, to prison labor and prison industries, and the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are hereby transferred; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

as amended, being sections 791.201 to 791.283 of the Michigan Compiled Laws, by adding section 265j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 232 of the Public Acts of 1953, as
2 amended, being sections 791.201 to 791.283 of the Michigan
3 Compiled Laws, is amended by adding section 265j to read as
4 follows:

5 SEC. 265J. THE DEPARTMENT IS CONSIDERED THE EMPLOYER OF A
6 PRISONER SOLELY FOR PURPOSES OF WITHHOLDING AND DEDUCTING THE TAX
7 PURSUANT TO AND FURNISHING A STATEMENT REQUIRED BY THE INCOME TAX
8 ACT OF 1967, ACT NO. 281 OF THE PUBLIC ACTS OF 1967, BEING SEC-
9 TIONS 206.1 TO 206.532 OF THE MICHIGAN COMPILED LAWS, WHEN A
10 PRISONER PERFORMS WORK IN ANY OF THE FOLLOWING CIRCUMSTANCES:

11 (A) PURSUANT TO THE CORRECTIONAL INDUSTRIES ACT, ACT NO. 15
12 OF THE PUBLIC ACTS OF 1968, BEING SECTIONS 800.321 TO 800.334 OF
13 THE MICHIGAN COMPILED LAWS.

14 (B) PURSUANT TO THIS ACT.

15 (C) PURSUANT TO SECTION 1-A OF ACT NO. 181 OF THE PUBLIC
16 ACTS OF 1911, BEING SECTION 800.101A OF THE MICHIGAN COMPILED
17 LAWS.

18 (D) PURSUANT TO ACT NO. 60 OF THE PUBLIC ACTS OF 1962, BEING
19 SECTIONS 801.251 TO 801.258 OF THE MICHIGAN COMPILED LAWS.

20 (E) IN A FACILITY OR PLACE OF EMPLOYMENT OPERATED BY A PENAL
21 INSTITUTION, THE DEPARTMENT, OR OTHER PERSON AUTHORIZED BY THE
22 DEPARTMENT TO HAVE A PRISONER UNDER CARE, CUSTODY, OR SUPERVI-
23 SION, EITHER IN AN INSTITUTION OR OUTSIDE AN INSTITUTION.

24 Section 2. This amendatory act shall not take effect unless
25 Senate Bill No. ____ or House Bill No. 4788 (request
26 no. 01231'91) of the 86th Legislature is enacted into law.