

SENATE BILL No. 869

April 28, 1992, Introduced by Senator WELBORN and referred to the Committee on Family Law, Criminal Law, and Corrections.

A bill to amend section 36 of 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 by Act No. 185 of the Public Acts of 1989, being section 791.236 of the Michigan Compiled Law; and to repeal certain parts of the act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 36 of Act No. 232 of the Public Acts of
2 1953, as amended by Act No. 185 of the Public Acts of 1989, being
3 section 791.236 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 36. (1) All paroles shall be ordered by the parole
6 board and shall be signed by the chairperson. Written notice of
7 the order shall be given to the sheriff or other police officer
8 of the municipality or county in which the prisoner was con-
9 victed, and to the sheriff or other local police officer of the
10 municipality or county to which the paroled prisoner is sent.

11 (2) An order of parole may be amended or rescinded at the
12 discretion of the parole board for cause. A parole shall not be
13 rescinded unless an interview is conducted by 1 member of the
14 parole board. The purpose of the interview shall be to consider
15 and act upon information received by the board subsequent to the
16 original parole release decision. A rescission interview shall
17 be conducted within 45 days of receipt of the new information.
18 At least 10 days before the interview, the parolee shall receive
19 a copy or summary of the new evidence which is the basis for the
20 interview. An amendment to a parole order shall be in writing
21 and shall not be effective until notice of the amendment is given
22 to the parolee.

23 (3) When an order for parole is issued, the order shall con-
24 tain the conditions of the parole and shall specifically provide
25 proper means of supervision of the paroled prisoner in accordance
26 with the rules of the bureau of field services.

1 (4) The order of parole shall contain a condition to pay
2 restitution to, or perform services for, the victim of the
3 prisoner's crime or the victim's estate if the prisoner has been
4 sentenced to make restitution pursuant to the crime victim's
5 rights act, Act No. 87 of the Public Acts of 1985, being sections
6 780.751 to 780.834 of the Michigan Compiled Laws, or chapter IX
7 of the code of criminal procedure, Act No. 175 of the Public Acts
8 of 1927, being sections 769.1 to 769.28 of the Michigan Compiled
9 Laws.

10 ~~—(5) The order of parole shall contain a condition requiring~~
11 ~~the parolee to pay a parole oversight fee or perform community~~
12 ~~service, as prescribed in section 36a.—~~

13 Section 2. Section 36a of Act No. 232 of the Public Acts of
14 1953, being section 791.236a of the Michigan Compiled Laws, is
15 repealed.