



# HOUSE BILL No. 5336

October 25, 1995, Introduced by Rep. Murphy and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend section 34 of Act No. 118 of the Public Acts of 1893, entitled as amended

"An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,"

as added by Act No. 218 of the Public Acts of 1994, being section 800.34 of the Michigan Compiled Laws.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 34 of Act No. 118 of the Public Acts of  
2 1893, as added by Act No. 218 of the Public Acts of 1994, being  
3 section 800.34 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 34. (1) A prisoner subject to disciplinary time shall  
6 receive disciplinary time for each major misconduct for which he

1 or she is found guilty as prescribed by rule pursuant to  
2 section 35.

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

7 (3) A prisoner who has been sentenced concurrently for sepa-  
8 rate convictions shall have his or her disciplinary time computed  
9 and accumulated on each sentence individually. If a prisoner is  
10 serving consecutive sentences for separate convictions, his or  
11 her disciplinary time shall be computed and accumulated on each  
12 sentence individually.

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

19 (5) As used in this act, "prisoner subject to disciplinary  
20 time" means a prisoner sentenced on or after the effective date  
21 of the amendatory act that added this section to an indeterminate  
22 term of imprisonment for any of the following:

23 (a) A violation of section 625(4) or (5) of the Michigan  
24 vehicle code, Act No. 300 of the Public Acts of 1949, being  
25 section 257.625 of the Michigan Compiled Laws.

26 (b) A violation of section ~~171(4)~~ 80176(4) or (5) of ~~the~~  
27 ~~marine safety act, Act No. 303 of the Public Acts of 1967~~ PART

1 801 (MARINE SAFETY) OF THE NATURAL RESOURCES AND ENVIRONMENTAL  
2 PROTECTION ACT, ACT NO. 451 OF THE PUBLIC ACTS OF 1994, being  
3 section ~~281.1171~~ 324.80176 of the Michigan Compiled Laws.

4 (c) A violation of section 72, 73, 80, 82, 83, 84, 86, 87,  
5 88, 89, 90, 110a(2), 112, 136b(2), 145c, 204, 204a, 205, 205a,  
6 206, 207, 208, 210, 211, 211a, 213, 316, 317, 319, 321, 322, 327,  
7 328, 329, 349, 349a, 350, 357, 397, 411i, 479b, 520b, 520c, 520d,  
8 520e, 520g, 529, 529a, 530, or 531 of the Michigan penal code,  
9 Act No. 328 of the Public Acts of 1931, being sections 750.72,  
10 750.73, 750.80, 750.82, 750.83, 750.84, 750.86, 750.87, 750.88,  
11 750.89, 750.90, 750.110a, 750.112, 750.136b, 750.145c, 750.204,  
12 750.204a, 750.205, 750.205a, 750.206, 750.207, 750.208, 750.210,  
13 750.211, 750.211a, 750.213, 750.316, 750.317, 750.319, 750.321,  
14 750.322, 750.327, 750.328, 750.329, 750.349, 750.349a, 750.350,  
15 750.357, 750.397, 750.411i, 750.479b, 750.520b, 750.520c,  
16 750.520d, 750.520e, 750.520g, 750.529, 750.529a, 750.530, and  
17 750.531 of the Michigan Compiled Laws.

18 (d) A violation of section 1 of Act No. 214 of the Public  
19 Acts of 1931, being section 752.191 of the Michigan Compiled  
20 Laws.

21 (e) A violation of section 1, 2, or 2a of Act No. 302 of the  
22 Public Acts of 1968, being sections 752.541, 752.542, and  
23 752.542a of the Michigan Compiled Laws.

24 (f) Any offense not listed in subdivisions (a) to (e) that  
25 is punishable by life imprisonment.

26 (g) An attempt, conspiracy, or solicitation to commit an  
27 offense described in subdivisions (a) to (f).

1       Section 2. This amendatory act shall take effect on the  
2 date that sentencing guidelines are enacted into law after the  
3 sentencing commission submits its report to the secretary of the  
4 senate and the clerk of the house of representatives pursuant to  
5 sections 31 to 34 of chapter IX of the code of criminal proce-  
6 dure, Act No. 175 of the Public Acts of 1927, being sections  
7 769.31 to 769.34 of the Michigan Compiled Laws.