



SENATE BILL No. 925

March 12, 1996, Introduced by Senators VAN REGENMORTER, CHERRY, BYRUM, NORTH, BOUCHARD, DINGELL, HOFFMAN, ROGERS, YOUNG, SHUGARS and DE BEAUSSAERT and referred to the Committee on Judiciary.

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, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to 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 transferred by this act; 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; to make certain appropriations; to repeal certain parts of this act on specific dates; 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 20g.

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 20g to read as
4 follows:

5 SEC. 20G. (1) IF A PRISONER IS ORDERED TO PAY RESTITUTION
6 TO THE VICTIM OF A CRIME AND THE DEPARTMENT RECEIVES A COPY OF
7 THE RESTITUTION ORDER FROM THE COURT, THE DEPARTMENT SHALL DEDUCT
8 THE AMOUNT OF THAT RESTITUTION FROM ANY MONEY TO BE DEPOSITED IN
9 THE PRISONER'S ACCOUNT. THE DEPARTMENT SHALL PROMPTLY FORWARD
10 THE RESTITUTION AMOUNT TO THE CRIME VICTIM AS PROVIDED IN THE
11 ORDER OF RESTITUTION. THE DEPARTMENT SHALL NOTIFY THE PRISONER
12 IN WRITING OF ALL DEDUCTIONS AND PAYMENTS MADE UNDER THIS
13 SECTION. THE REQUIREMENTS OF THIS SUBSECTION REMAIN IN EFFECT
14 UNTIL ALL OF THE RESTITUTION HAS BEEN PAID.

15 (2) THE DEPARTMENT SHALL NOT ENTER INTO ANY AGREEMENT WITH A
16 PRISONER THAT MODIFIES THE REQUIREMENTS OF SUBSECTION (1). ANY
17 AGREEMENT IN VIOLATION OF THIS SUBSECTION IS VOID.

18 Section 2. This amendatory act shall not take effect unless
19 Senate Bill No. 929

20 of the 88th Legislature is enacted into law.

1 REIMBURSED TO THE TAXPAYER OR PAID FOR ON BEHALF OF THE TAXPAYER
2 FROM ANY SOURCE OTHER THAN THE TAXPAYER.

3 (B) "ELIGIBLE PROPERTY", "RESPONSE ACTIVITY", AND "WORK PLAN
4 OR REMEDIAL ACTION PLAN" MEAN THOSE TERMS AS DEFINED IN THE BROW-
5 NFIELD REDEVELOPMENT FINANCING ACT.

6 (C) "QUALIFIED TAXPAYER" MEANS A TAXPAYER THAT MEETS BOTH OF
7 THE FOLLOWING CRITERIA:

8 (i) OWNS OR LEASES AN ELIGIBLE PROPERTY WITHIN A BROWNFIELD
9 REDEVELOPMENT ZONE DESIGNATED PURSUANT TO THE BROWNFIELD REDEVEL-
10 OPMENT FINANCING ACT THAT IS SUBJECT TO A WORK PLAN OR REMEDIAL
11 ACTION PLAN FOR RESPONSE ACTIVITY.

12 (ii) THE TAXPAYER HAS NOT BEEN DETERMINED BY THE DEPARTMENT
13 OF ENVIRONMENTAL QUALITY TO BE LIABLE UNDER SECTION 20126 OF PART
14 201 (ENVIRONMENTAL REMEDIATION) OF ACT NO. 451 OF THE PUBLIC ACTS
15 OF 1994, BEING SECTION 324.20126 OF THE MICHIGAN COMPILED LAWS,
16 FOR RESPONSE ACTIVITY AT AN ELIGIBLE PROPERTY TO WHICH THE CREDIT
17 IS ATTRIBUTABLE.

18 (D) "TAX LIABILITY ATTRIBUTABLE TO BUSINESS ACTIVITY CON-
19 DUCTED ON ELIGIBLE PROPERTY" MEANS THE TAX LIABILITY IMPOSED BY
20 THIS ACT AFTER THE CALCULATION OF ALL CREDITS UNDER THIS ACT
21 OTHER THAN THE CREDIT UNDER THIS SECTION MULTIPLIED BY A FRACTION
22 THE NUMERATOR OF WHICH IS THE RATIO OF THE VALUE OF ELIGIBLE
23 PROPERTY TO ALL OF THE TAXPAYER'S PROPERTY LOCATED IN THIS STATE
24 PLUS THE RATIO OF THE TAXPAYER'S PAYROLL ATTRIBUTABLE TO ELIGIBLE
25 INVESTMENT TO ALL OF THE TAXPAYER'S PAYROLL IN THIS STATE AND THE
26 DENOMINATOR OF WHICH IS 2.

1 Section 2. This amendatory act shall not take effect unless
2 Senate Bill No. 923
3 of the 88th Legislature is enacted into law.