

HOUSE BILL No. 4365

February 20, 1997, Introduced by Reps. Walberg, McBryde, Brewer, Oxender, Gernaat, Horton, Tesanovich, DeHart, Bodem, Geiger, Raczkowski, Green, Cropsey, Goschka, Nye, Jellema, Voorhees, DeVuyst and Llewellyn and referred to the Committee on Corrections.

A bill to amend 1984 PA 118, entitled
"The prisoner reimbursement to the county act,"
by amending sections 3 and 5 (MCL 801.83 and 801.85), section 3
as amended by 1994 PA 212.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The county may seek reimbursement for any
2 expenses incurred by the county in relation to ~~the~~ A charge ~~or~~
3 ~~charges~~ for which a person was sentenced to a county jail as
4 follows:

5 (a) From each person who is or was a prisoner, not more than
6 \$60.00 per day for the expenses of maintaining that prisoner or
7 the actual per diem cost of maintaining that prisoner, whichever
8 is less, for the entire period of time the person was confined in
9 the county jail, including any period of pretrial detention.

1 (b) To investigate the financial status of the person.

2 (c) Any other expenses incurred by the county ~~in order~~ to
3 collect payments under this act.

4 (2) REIMBURSEMENT UNDER THIS ACT MAY BE ORDERED AS A PROBA-
5 TION CONDITION ENTERED PURSUANT TO SECTION 3 OF CHAPTER XI OF THE
6 CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 771.3.

7 (3) ~~(2)~~ Before seeking any reimbursement under this act,
8 the county shall develop a form to be used for determining the
9 financial status of prisoners. The form shall provide for
10 obtaining the age and marital status of a prisoner, number and
11 ages of children of a prisoner, number and ages of other depen-
12 dents, type and value of real estate, type and value of personal
13 property, cash and bank accounts, type and value of investments,
14 pensions and annuities, and any other personalty of significant
15 cash value. The county shall use the form when investigating the
16 financial status of prisoners.

17 Sec. 5. (1) A prisoner in a county jail shall cooperate
18 with the county in seeking reimbursement under this act for
19 expenses incurred by the county for that prisoner.

20 (2) A prisoner who ~~wilfully~~ WILLFULLY refuses to cooperate
21 as provided in subsection (1) shall not receive a reduction in
22 his or her term under section 7 of ~~Act No. 60 of the Public Acts~~
23 ~~of 1962, being section 801.257 of the Michigan Compiled Laws~~
24 1962 PA 60, MCL 801.257. IF A PRISONER IS ORDERED TO REIMBURSE
25 THE COUNTY UNDER THIS ACT AS A PROBATION CONDITION ENTERED PURSU-
26 ANT TO SECTION 3 OF CHAPTER XI OF THE CODE OF CRIMINAL PROCEDURE,
27 1927 PA 175, MCL 771.3, THE PRISONER IS IN ADDITION SUBJECT TO

1 PROBATION REVOCATION AS PROVIDED IN SECTION 4 OF CHAPTER XI OF
2 THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 771.4.

3 Enacting section 1. This amendatory act does not take
4 effect unless Senate Bill No. _____ or House Bill
5 No. _____ (request no. 00017'97) of the 89th Legislature is
6 enacted into law.