

HOUSE BILL No. 5022

July 8, 1997, Introduced by Reps. Basham, DeHart, Wojno, Gire, Hale, Rocca, Voorhees, Raczkowski, Llewellyn, Goschka, Schermesser, Richner, McBryde, Kelly, Bogardus and Stallworth and referred to the Committee on Corrections.

A bill to amend 1982 PA 14, entitled

"An act to provide for the reimbursement of expenses incurred by cities in providing medical supplies for or medical treatment or attendance of prisoners in city jails; and to provide civil fines for a violation of this act,"

by amending the title (MCL 801.301) and by adding sections 2, 3, and 4.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to provide for the reimbursement of CERTAIN expenses
3 incurred by cities in ~~providing medical supplies for or medical~~
4 ~~treatment or attendance~~ THE INCARCERATION of prisoners in city
5 jails; and to provide civil fines for a violation of this act.

6 SEC. 2. (1) A CITY MAY FILE A CIVIL ACTION TO SEEK REIM-
7 BURSEMENT FROM A PRISONER FOR THE MAINTENANCE AND SUPPORT OF THAT
8 PERSON WHILE HE OR SHE IS OR WAS INCARCERATED IN THE CITY'S JAIL,

1 OR FOR ANY OTHER EXPENSE FOR WHICH THE CITY MAY BE REIMBURSED
2 UNDER THIS ACT.

3 SEC. 3. (1) BEFORE FILING AN ACTION UNDER THIS SECTION, THE
4 CITY SHALL TAKE INTO CONSIDERATION ALL OF THE FACTORS LISTED IN
5 SECTION 4 REGARDING THE PRISONER'S LEGAL AND MORAL OBLIGATIONS TO
6 PROVIDE SUPPORT.

7 (2) A CIVIL ACTION BROUGHT UNDER THIS ACT SHALL BE INSTI-
8 TUTED IN THE NAME OF THE CITY IN WHICH THE JAIL IS LOCATED AND
9 SHALL STATE THE DATE AND PLACE OF SENTENCE, THE LENGTH OF TIME
10 SET FORTH IN THE SENTENCE, THE LENGTH OF TIME ACTUALLY SERVED,
11 AND THE AMOUNT OR AMOUNTS DUE TO THE CITY UNDER THIS ACT.

12 SEC. 4. (1) BEFORE ENTERING ANY ORDER ON BEHALF OF THE CITY
13 AGAINST THE DEFENDANT, THE COURT SHALL TAKE INTO CONSIDERATION
14 ANY LEGAL OBLIGATION OF THE DEFENDANT TO SUPPORT A SPOUSE, MINOR
15 CHILDREN, OR OTHER DEPENDENTS AND ANY MORAL OBLIGATION TO SUPPORT
16 DEPENDENTS TO WHOM THE DEFENDANT IS PROVIDING OR HAS IN FACT PRO-
17 VIDED SUPPORT.

18 (2) THE COURT MAY ENTER A MONEY JUDGMENT AGAINST THE
19 DEFENDANT AND MAY ORDER THAT THE DEFENDANT'S PROPERTY IS LIABLE
20 FOR REIMBURSEMENT OF EXPENSES REIMBURSABLE UNDER THIS ACT.