



**House
Legislative
Analysis
Section**

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**GARNISHMENT OF INMATE
ACCOUNTS**

House Bills 4109 and 4110

Sponsor: Rep. Michael Bishop

Committee: Criminal Law and Corrections

Complete to 10-30-00

A SUMMARY OF HOUSE BILLS 4109 AND 4110 AS INTRODUCED 1-28-99

The bills, which are tie-barred together, would allow a prisoner's institutional account to be subject to garnishment to pay court ordered court costs or fees. House Bill 4110 would amend Public Act 60 of 1962 (MCL 801.252 and 801.254), which allows for the day parole of prisoners in county jails (work release), to allow the wages or salary held in these prisoners' institutional accounts to be garnished in order to pay court costs or fees as ordered by a Michigan court. Money earned by prisoners on work release is required to be held in an institutional account. The sheriff or friend of the court may authorize certain payments from this account during the prisoner's jail term. The remaining balance is paid to the prisoner upon his or her release. Under the bill, the sheriff or friend of the court would be required to continue to observe the established order of priority when making payments from a prisoner's account. Payments for recovery of court-ordered costs or fees and for payment of other obligations would be the last in the order of priority, following payments for the prisoner's board, payments for necessary travel expenses or other incidental expenses, and payments for support of the prisoner's dependents.

House Bill 4109 would amend the Revised Judicature Act (MCL 600.4011) to allow a sheriff to be subjected to garnishment for money held in a prisoner's institutional account, provided the garnishment was to pay on a court order for court costs or fees.

House Bills 4109 and 4110 (10-30-00)

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