

# HOUSE BILL No. 4146

February 3, 1999, Introduced by Rep. Jannick and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1984 PA 118, entitled  
"The prisoner reimbursement to the county act,"  
by amending section 7 (MCL 801.87), as amended by 1996 PA 544.

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

1       Sec. 7. (1) ~~within 12~~ NOT MORE THAN 24 months after the  
2 release from a county jail of a sentenced prisoner or a pretrial  
3 detainee whose prosecution resulted in conviction for a felony,  
4 an attorney for that county may file a civil action to seek reim-  
5 bursement from that person for maintenance and support of that  
6 person while he or she is or was confined in the jail, or for any  
7 other expense for which the county may be reimbursed under sec-  
8 tion 3, as provided in this section and sections 8 to 10.  
9       (2) A civil action brought under this act shall be  
10 instituted in the name of the county ~~in which~~ WHERE the jail is  
11 located and shall state the following, as applicable:

1       (a) In the case of a prisoner sentenced to the jail, the  
2 date and place of sentence, the length of time set forth in the  
3 sentence, the length of time actually served, and the amount or  
4 amounts due to the county ~~pursuant to~~ UNDER section 3.

5       (b) In the case of a person imprisoned as a pretrial  
6 detainee on a charge or charges that resulted in conviction for a  
7 felony, the length of pretrial detention and the amount or  
8 amounts due to the county ~~pursuant to~~ UNDER section 3.

9       (3) Before entering ~~any~~ AN order on behalf of the county  
10 against the defendant, the court shall take into consideration  
11 any legal obligation of the defendant to support a spouse, minor  
12 children, or other dependents and any moral obligation to support  
13 dependents to whom the defendant is providing or has in fact pro-  
14 vided support.

15       (4) The court may enter a money judgment against the  
16 defendant and may order that the defendant's property is liable  
17 for reimbursement for maintenance and support of the defendant as  
18 a prisoner and for other expenses reimbursable under section 3.