



HOUSE BILL No. 4854

September 28, 1999, Introduced by Reps. Basham, Bogardus, Schermesser, Hale, Bovin, LaSata and Sanborn and referred to the Committee on Criminal Law and 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,"

(MCL 801.301) by amending the title and by adding section 2.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

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

SEC. 2. (1) A CITY MAY FILE A CIVIL ACTION TO SEEK REIMBURSEMENT FROM A PRISONER FOR THE MAINTENANCE AND SUPPORT OF THAT PERSON WHILE HE OR SHE IS OR WAS SERVING A TERM OF IMPRISONMENT IN THE CITY'S JAIL OR WHILE HE OR SHE IS OR WAS INCARCERATED IN

1 THE CITY'S JAIL AS A PRETRIAL DETAINEE ON A CHARGE OR CHARGES
2 THAT RESULTED IN CONVICTION FOR A CRIME.

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

7 (3) A CIVIL ACTION BROUGHT UNDER THIS SECTION SHALL BE
8 INSTITUTED IN THE NAME OF THE CITY IN WHICH THE JAIL IS LOCATED
9 AND SHALL STATE THE DATE, PLACE, THE LENGTH OF TIME THE PRISONER
10 WAS INCARCERATED, THE REASON FOR THE PRISONER'S INCARCERATION,
11 AND THE AMOUNT DUE TO THE CITY UNDER THIS SECTION.

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

18 (5) THE COURT MAY ENTER A MONEY JUDGMENT AGAINST THE
19 DEFENDANT AND MAY ORDER THAT THE DEFENDANT'S PROPERTY IS SUBJECT
20 TO ATTACHMENT FOR REIMBURSEMENT OF EXPENSES REIMBURSABLE UNDER
21 THIS SECTION.