

HOUSE BILL No. 5400

December 30, 2003, Introduced by Reps. Lipsey, Hopgood, Condino, Bieda, Kolb, Tobocman, Gillard, Law, Hunter, Gleason, Vagnozzi, Byrum, Jamnick, McConico, Murphy, Phillips, Clack, Stallworth, Hood, Smith, Gaffney, Acciavatti and Hardman and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 1081.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1081. (1) A drug treatment court shall collect and
2 maintain the following information on each offender who
3 participates in a drug treatment court program:

4 (a) The estimated daily financial cost to the offender of his
5 or her drug or alcohol abuse, at the time of his or her entry
6 into the program.

7 (b) Prior criminal convictions, incarceration, or probation
8 and any drug or alcohol treatment received in connection with
9 conviction, incarceration, or probation.

10 (c) Employment history, educational record, and income.

11 (d) Gender, race, or ethnicity, and family and marital

1 status, including any child custody and child support
2 obligations.

3 (e) The number of healthy babies and addicted babies born to
4 female participants in the program.

5 (f) History of any previous participation in drug or alcohol
6 treatment or a drug or alcohol treatment court program, including
7 information on the offender's success or failure in those
8 programs.

9 (g) Instances of drug or alcohol use recidivism, including
10 recidivism occurring during or after successful completion of a
11 drug treatment court program or during or after an offender's
12 failed participation in a drug treatment court program. A drug
13 treatment court shall attempt to measure recidivism at intervals
14 of 1, 2, and 5 years after successful graduation from a drug
15 treatment court program. An offender may be required as a
16 condition of probation to provide the information described in
17 this subdivision.

18 (h) Instances of rearrest, including rearrest during or after
19 an offender's successful completion of a drug treatment court
20 program or rearrest during or after an offender's failed
21 participation in a drug treatment court program. A drug
22 treatment court shall attempt to measure instances of rearrest at
23 intervals of 1, 2, and 5 years after successful graduation from a
24 drug treatment court program.

25 (2) Information under this section shall be collected and
26 maintained in a standardized format according to applicable
27 guidelines established by the board under section 1084(10).

1 Information collected under this section is exempt from
2 disclosure under the freedom of information act, 1976 PA 442, MCL
3 15.231 to 15.246.

4 Enacting section 1. This amendatory act does not take
5 effect unless all of the following bills of the 92nd Legislature
6 are enacted into law:

7 (a) Senate Bill No. _____ or House Bill No. 5401 (request
8 no. 02569'03 ***).

9 (b) Senate Bill No. _____ or House Bill No. 5399 (request
10 no. 03840'03 ***).