

CSC: ELECTRONIC MONITORING

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Senate Bill 1122

Sponsor: Sen. Alan Sanborn

House Committee: Judiciary

Senate Committee: Judiciary

Complete to 5-2-06

A SUMMARY OF SENATE BILL 1122 AS PASSED BY THE SENATE 3-28-06

The bill would amend the Corrections Code to specify that, if a parolee convicted of first- or second-degree criminal sexual conduct (CSC), other than a parolee subject to lifetime electronic monitoring under Section 85 of the code, were placed on parole, the parole board could require that the parolee be subject to electronic monitoring. The electronic monitoring would have to be conducted in the same manner, and be subject to the same requirements, as described in Section 85 and in Section 520n of the Michigan Penal Code, except that the electronic monitoring would have to continue only for the duration of the term of parole, and a violation by the parolee of any of the requirements specified in Section 520n would be a violation of a condition of parole, not a felony violation.

The bill is tie-barred to House Bills 5531 and 5532.

(Section 520n of the Michigan Penal Code is proposed by House Bill 5531. Under that bill, a person convicted of first- or second-degree CSC when he or she was at least 17 years old and the victim was under 13 would have to be sentenced to lifetime electronic monitoring as provided under Section 85 of the Corrections Code. A person sentenced under Section 520n would be guilty of a felony punishable by up to two years' imprisonment and/or a maximum fine of \$2,000 if he or she intentionally removed, defaced, altered, destroyed, or failed to maintain the electronic monitoring device in working order; failed to notify the Department of Corrections (DOC) that the electronic monitoring device was damaged; or failed to reimburse the DOC or its agent for the cost of the monitoring.

House Bill 5532 as passed by the House would add Section 85 to the Corrections Code. The bill would establish a lifetime electronic monitoring program in the DOC for those sentenced under House Bill 5531 as passed by the House. The bills would define "electronic monitoring" as a device by which, through global positioning satellite or other means, an individual's movement and location are tracked and recorded.)

MCL 791.236

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Marilyn Peterson

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.