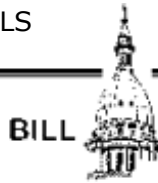




Senate Fiscal Agency
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**BILL ANALYSIS**

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Senate Bill 208 (Substitute S-1 as reported)
Sponsor: Senator Laura M. Toy
Committee: Judiciary

CONTENT

The bill would create the "Inmate Reimbursement to Municipalities Act" to authorize a municipality (a city, village, or township located in a county with a population of at least 1 million) to seek reimbursement from a convicted inmate who is or was in the municipal jail or in a county jail, for expenses the municipality incurred in relation to the person's incarceration. A municipality could be reimbursed up to \$60 per day for the cost of maintaining the inmate; up to \$60 of the per-day cost charged to the municipality by a county for housing the inmate in the county jail; the cost of providing medical treatment, prescription drugs, dental care, and other medical examinations or procedures; the cost of investigating the person's financial status; and expenses involved in collecting payments.

An inmate who willfully refused to cooperate with a municipality seeking reimbursement could not receive a reduction in his or her term under Section 7 of Public Act 60 of 1962 (which allows a jail inmate to receive a reduction of one-fourth of his or her term, with court approval, if his or her conduct, diligence, and general attitude merit the reduction).

The bill also would require a municipality seeking reimbursement to develop a form to be used to determine an inmate's financial status; require a municipality's chief of police or clerk, at the request of the municipality's legislative body, to furnish information to facilitate the legislative body's investigation of an inmate's financial status; and allow a municipality to file a civil action to seek reimbursement, but prohibit it from enforcing any judgment by execution against the defendant's homestead.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders enter municipal jails and lockups, or county jails at the expense of a municipality. To the extent that local governments would be successful at obtaining reimbursements from offenders, the bill would raise revenue for municipalities' general funds. If local governments were unsuccessful at obtaining these reimbursements, however, they would incur the administrative costs involved in investigating the offenders' financial status. Data on these administrative costs are unknown. Currently, only municipalities in Oakland and Wayne Counties would be affected by the bill, unless their populations drop below 1 million. As other counties reach a population of 1 million or more, those municipalities also would incur costs or increase revenue under the bill. Further, if an inmate refused to cooperate with the municipality seeking reimbursement and spent more time incarcerated than he or she would have spent otherwise, the local government would incur the costs of incarceration in local facilities, which vary by county. The State would incur the cost of incarceration in a State facility at an average annual cost of \$30,000.

Date Completed: 11-30-05

Fiscal Analyst: Lindsay Hollander, David Zin

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Analysis available @ <http://www.michiganlegislature.org>

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.