

HOUSE BILL No. 5643

(As amended March 9, 2006)

February 7, 2006, Introduced by Reps. Caul, Booher, Ball, Newell, Meyer, Stahl, Jones, Taub, Moore, Elsenheimer, Green, Espinoza, Pearce, Sheltroun, Marleau and Sheen and referred to the Committee on Judiciary.

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 months~~ **[3] YEARS** after the release from
2 a county jail of a sentenced prisoner or a pretrial detainee whose
3 prosecution resulted in conviction for a felony, an attorney for
4 that county may file a civil action to seek reimbursement from that
5 person for maintenance and support of that person while he or she
6 is or was confined in the jail, or for any other expense for which
7 the county may be reimbursed under section 3, as provided in this
8 section and sections 8 to 10.

9 (2) A civil action brought under this act shall be instituted

1 in the name of the county in which the jail is located and shall
2 state the following, as applicable:

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

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

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

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