

Act No. 170
Public Acts of 2006
Approved by the Governor
May 29, 2006
Filed with the Secretary of State
May 30, 2006
EFFECTIVE DATE: August 28, 2006

STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006

Introduced by Reps. Pavlov, Pastor, Shaffer, Stahl, Jones, Steil, Gaffney, Baxter, Emmons, Anderson, Stewart, Zelenko, Kooiman, Meyer, Hummel, Newell, Vander Veen, Williams, Brown, Farrah, LaJoy, Brandenburg, Wojno, Acciavatti, Condino, Vagnozzi, Taub, Amos, Garfield, Hune, Gleason, Hoogendyk, Nofs, Ward, Byrum, Van Regenmorter, Sak, Nitz, Sheen, Huizenga, Farhat, Moolenaar, Palsrok, Gillard, Casperson, Dillon, Ball, Byrnes, Caul, Clemente, Elsenheimer, Gonzales, Gosselin, Hansen, Hildenbrand, David Law, Marleau, Mayes, McDowell, Moore, Mortimer, Palmer, Pearce, Polidori, Proos, Rocca, Schuitmaker and Sheltroun

ENROLLED HOUSE BILL No. 5422

AN ACT to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 42 (MCL 791.242).

The People of the State of Michigan enact:

Sec. 42. (1) If a paroled prisoner has faithfully performed all of the conditions and obligations of parole for the period of time fixed in the order of parole, and has obeyed all of the rules and regulations adopted by the parole board, the prisoner has served the full sentence required. The parole board shall enter a final order of discharge and issue the paroled prisoner a certificate of discharge.

(2) Parole shall not be granted for a period less than 2 years in a case of murder, actual forcible rape, robbery armed, kidnapping, extortion, or breaking and entering an occupied dwelling in the nighttime unless the maximum time remaining to be served on the sentence is less than 2 years.

(3) Parole shall only be granted for life for a prisoner sentenced under section 520b(2)(b) of the Michigan penal code, 1931 PA 328, MCL 750.520b.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 709.
- (b) Senate Bill No. 717.
- (c) Senate Bill No. 718.
- (d) Senate Bill No. 1122.
- (e) House Bill No. 5421.
- (f) House Bill No. 5531.
- (g) House Bill No. 5532.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor