

# HOUSE BILL No. 4253

February 13, 2007, Introduced by Reps. Pastor and Meekhof and referred to the Committee on Judiciary.

A bill to amend 1953 PA 232, entitled  
"Corrections code of 1953,"  
by amending section 33 (MCL 791.233), as amended by 1998 PA 320.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 33. (1) The grant of a parole is subject to all of the  
2 following:

3       (a) A prisoner shall not be ~~given liberty on~~ **GRANTED** parole  
4 until the board has reasonable assurance, after consideration of  
5 all of the facts and circumstances, including the prisoner's mental  
6 and social attitude, that the prisoner will not become a menace to  
7 society or to the public safety.

1           (b) Except as provided in section 34a, a parole shall not be  
2 granted to a prisoner other than a prisoner subject to disciplinary  
3 time until the prisoner has served the minimum term imposed by the  
4 court less allowances for good time or special good time to which  
5 the prisoner may be entitled by statute, except that a prisoner  
6 other than a prisoner subject to disciplinary time is eligible for  
7 parole before the expiration of his or her minimum term of  
8 imprisonment whenever the sentencing judge, or the judge's  
9 successor in office, gives written approval of the parole of the  
10 prisoner before the expiration of the minimum term of imprisonment.

11           (c) Except as provided in section 34a, and notwithstanding the  
12 provisions of subdivision (b), a parole shall not be granted to a  
13 prisoner other than a prisoner subject to disciplinary time  
14 sentenced for the commission of a crime described in section 33b(a)  
15 to (cc) until the prisoner has served the minimum term imposed by  
16 the court less an allowance for disciplinary credits as provided in  
17 section 33(5) of 1893 PA 118, MCL 800.33. A prisoner described in  
18 this subdivision is not eligible for special parole.

19           (d) Except as provided in section 34a, a parole shall not be  
20 granted to a prisoner subject to disciplinary time until the  
21 prisoner has served the minimum term imposed by the court.

22           (e) A prisoner shall not be released on parole until the  
23 parole board has satisfactory evidence that arrangements have been  
24 made for such honorable and useful employment as the prisoner is  
25 capable of performing, for the prisoner's education, or for the  
26 prisoner's care if the prisoner is mentally or physically ill or  
27 incapacitated.

1 (f) A prisoner whose minimum term of imprisonment is 2 years  
2 or more shall not be released on parole unless he or she has ~~either~~  
3 earned a high school diploma, ~~or~~ earned its equivalent in the form  
4 of a general education development (GED) certificate, **OR EARNED AN**  
5 **EMPLOYMENT READINESS CERTIFICATE**. The director of the department  
6 may waive the restriction imposed by this subdivision as to any  
7 prisoner who is over the age of 65 or who was gainfully employed  
8 immediately before committing the crime for which he or she was  
9 incarcerated. The department of corrections may also waive the  
10 restriction imposed by this subdivision as to any prisoner who has  
11 a learning disability, who does not have the necessary proficiency  
12 in English, or who for some other reason that is not the fault of  
13 the prisoner is unable to successfully complete the requirements  
14 for a high school diploma, ~~or~~ a general education development  
15 certificate, **OR AN EMPLOYMENT READINESS CERTIFICATE**. If the  
16 prisoner does not have the necessary proficiency in English, the  
17 department of corrections shall provide English language training  
18 for that prisoner necessary for the prisoner to begin working  
19 toward the completion of the requirements for a general education  
20 development certificate **OR EMPLOYMENT READINESS CERTIFICATE**. This  
21 subdivision applies to prisoners sentenced for crimes committed  
22 after December 15, 1998. In providing an educational program  
23 leading to a high school degree, ~~or~~ general education development  
24 certificate, **OR EMPLOYMENT READINESS CERTIFICATE**, the department  
25 shall give priority to prisoners sentenced for crimes committed on  
26 or before December 15, 1998.

27 (2) Paroles-in-custody to answer warrants filed by local or

1 out-of-state agencies, or immigration officials, are permissible if  
2 an accredited agent of the agency filing the warrant calls for the  
3 prisoner to be paroled in custody.

4 (3) Pursuant to the administrative procedures act of 1969,  
5 1969 PA 306, MCL 24.201 to 24.328, the parole board may promulgate  
6 rules not inconsistent with this act with respect to conditions to  
7 be imposed upon prisoners paroled under this act.