

SENATE BILL No. 760

August 26, 2009, Introduced by Senators JELINEK, PAPPAGEORGE and KUIPERS and referred to the Committee on Judiciary.

A bill to amend 1953 PA 232, entitled
"Corrections code of 1953,"
by amending section 33b (MCL 791.233b), as amended by 1994 PA 217.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 33b. A person convicted and sentenced for the commission
2 of any of the following crimes other than a prisoner subject to
3 disciplinary time is not eligible for parole until the person has
4 served the minimum term imposed by the court less an allowance for
5 disciplinary credits as provided in section 33(5) of ~~Act No. 118 of~~
6 ~~the Public Acts of 1893, being section 800.33 of the Michigan~~
7 ~~Compiled Laws 1893 PA 118, MCL 800.33~~, and is not eligible for
8 special parole:

1 (a) Section 13 of the Michigan penal code, ~~Act No. 328 of the~~
2 ~~Public Acts of 1931, as amended, being section 750.13 of the~~
3 ~~Michigan Compiled Laws 1931 PA 328, MCL 750.13.~~

4 (b) Section 14 of ~~Act No. 328 of the Public Acts of 1931, as~~
5 ~~amended, being section 750.14 of the Michigan Compiled Laws~~ **THE**
6 **MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.14.**

7 (c) Section 72, 73, or 75 of ~~Act No. 328 of the Public Acts of~~
8 ~~1931, as amended, being section 750.72, 750.73, or 750.75 of the~~
9 ~~Michigan Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328, MCL**
10 **750.72, 750.73, AND 750.75.**

11 (d) Section 80, 82, 83, 84, 86, 87, 88, 89, or 90 of ~~Act No.~~
12 ~~328 of the Public Acts of 1931, as amended, being section 750.80,~~
13 ~~750.82, 750.83, 750.84, 750.86, 750.87, 750.88, 750.89, or 750.90~~
14 ~~of the Michigan Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328,**
15 **MCL 750.80, 750.82, 750.83, 750.84, 750.86, 750.87, 750.88, 750.89,**
16 **AND 750.90, or under former section 85 of Act No. 328 of the Public**
17 **Acts of 1931** **THAT ACT.**

18 (e) Section 91 or 92 of ~~Act No. 328 of the Public Acts of~~
19 ~~1931, as amended, being section 750.91 or 750.92 of the Michigan~~
20 ~~Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.91 AND**
21 **750.92.**

22 (f) Section 110, 112, or 116 of ~~Act No. 328 of the Public Acts~~
23 ~~of 1931, as amended, being section 750.110, 750.112, or 750.116 of~~
24 ~~the Michigan Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328,**
25 **MCL 750.110, 750.112, AND 750.116.**

26 (g) Section 135, 136b(2), or 136b(3) of ~~Act No. 328 of the~~
27 ~~Public Acts of 1931, as amended, being section 750.135 or 750.136b~~

1 ~~of the Michigan Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328,**
2 **MCL 750.135 AND 750.136B,** or ~~under former section 136a of Act No.~~
3 ~~328 of the Public Acts of 1931~~ **THAT ACT.**

4 (h) ~~Section 158 of Act No. 328 of the Public Acts of 1931, as~~
5 ~~amended, being section 750.158 of the Michigan Compiled Laws~~ **THE**
6 **MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.158.**

7 (i) ~~Section 160 of Act No. 328 of the Public Acts of 1931, as~~
8 ~~amended, being section 750.160 of the Michigan Compiled Laws~~ **THE**
9 **MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.160.**

10 (j) ~~Section~~ **FORMER SECTION** 171 of ~~Act No. 328 of the Public~~
11 ~~Acts of 1931, as amended, being section 750.171 of the Michigan~~
12 ~~Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328.**

13 (k) ~~Section 196 of Act No. 328 of the Public Acts of 1931, as~~
14 ~~amended, being section 750.196 of the Michigan Compiled Laws~~ **THE**
15 **MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.196,** or ~~under former~~
16 ~~section 194 of Act No. 328 of the Public Acts of 1931~~ **THAT ACT.**

17 (l) ~~Section 204, 205, 206, 207, 208, 209, or 213 of Act No. 328~~
18 ~~of the Public Acts of 1931, as amended, being section 750.204,~~
19 ~~750.205, 750.206, 750.207, 750.208, 750.209, or 750.213 of the~~
20 ~~Michigan Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328, MCL**
21 **750.204, 750.207, 750.209, AND 750.213, OR FORMER SECTION 205, 206**
22 **OR 208 OF THAT ACT.**

23 (m) ~~Section 224, 226, or 227 of Act No. 328 of the Public Acts~~
24 ~~of 1931, as amended, being section 750.224, 750.226, or 750.227 of~~
25 ~~the Michigan Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328,**
26 **MCL 750.224, 750.226, AND 750.227.**

27 (n) ~~Section 316, 317, 319, 321, 322, 323, 327, 328, or 329 of~~

1 ~~Act No. 328 of the Public Acts of 1931, as amended, being section~~
2 ~~750.316, 750.317, 750.319, 750.321, 750.322, 750.323, 750.327,~~
3 ~~750.328, or 750.329 of the Michigan Compiled Laws~~ **THE MICHIGAN**
4 **PENAL CODE, 1931 PA 328, MCL 750.316, 750.317, 750.319, 750.321,**
5 **750.322, 750.323, 750.327, 750.328, AND 750.329.**

6 (o) ~~Former section 333 of Act No. 328 of the Public Acts of~~
7 ~~1931~~ **THE MICHIGAN PENAL CODE, 1931 PA 328.**

8 (p) ~~Section 338, 338a, or 338b of Act No. 328 of the Public~~
9 ~~Acts of 1931, as amended, being section 750.338, 750.338a, or~~
10 ~~750.338b of the Michigan Compiled Laws~~ **THE MICHIGAN PENAL CODE,**
11 **1931 PA 328, MCL 750.338, 750.338A, AND 750.338B, or under former**
12 ~~section 341 of Act No. 328 of the Public Acts of 1931~~ **THAT ACT.**

13 (q) ~~Section 349, 349a, or 350 of Act No. 328 of the Public~~
14 ~~Acts of 1931, as amended, being section 750.349, 750.349a, or~~
15 ~~750.350 of the Michigan Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931**
16 **PA 328, MCL 750.349, 750.349A, AND 750.350.**

17 (r) ~~Section 357 of Act No. 328 of the Public Acts of 1931, as~~
18 ~~amended, being section 750.357 of the Michigan Compiled Laws~~ **THE**
19 **MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.357.**

20 (s) ~~Section 386 or 392 of Act No. 328 of the Public Acts of~~
21 ~~1931, as amended, being section 750.386 or 750.392 of the Michigan~~
22 ~~Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.386 AND**
23 **750.392.**

24 (t) ~~Section 397 or 397a of Act No. 328 of the Public Acts of~~
25 ~~1931, as amended, being section 750.397 or 750.397a of the Michigan~~
26 ~~Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.397 AND**
27 **750.397A.**

1 (u) Section 436 of ~~Act No. 328 of the Public Acts of 1931, as~~
2 ~~amended, being section 750.436 of the Michigan Compiled Laws~~ **THE**
3 **MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.436.**

4 (v) Section 511 ~~or 517 of Act No. 328 of the Public Acts of~~
5 ~~1931, as amended, being section 750.511 or 750.517 of the Michigan~~
6 ~~Compiled Laws~~ **THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.511, OR**
7 **FORMER SECTION 517 OF THAT ACT.**

8 (w) Section 520b, 520c, 520d, or 520g of ~~Act No. 328 of the~~
9 ~~Public Acts of 1931, as amended, being section 750.520b, 750.520c,~~
10 ~~750.520d, or 750.520g of the Michigan Compiled Laws~~ **THE MICHIGAN**
11 **PENAL CODE, 1931 PA 382, MCL 750.520B, 750.520C, 750.520D, AND**
12 **750.520G.**

13 (x) Section 529, 529a, 530, or 531 of ~~Act No. 328 of the~~
14 ~~Public Acts of 1931, as amended, being section 750.529, 750.529a,~~
15 ~~750.530, or 750.531 of the Michigan Compiled Laws~~ **THE MICHIGAN**
16 **PENAL CODE, 1931 PA 328, MCL 750.529, 750.529A, 750.530, AND**
17 **750.531.**

18 (y) Section 544 of ~~Act No. 328 of the Public Acts of 1931, as~~
19 ~~amended, being section 750.544 of the Michigan Compiled Laws~~ **THE**
20 **MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.544, or under former**
21 ~~section 545a of Act No. 328 of the Public Acts of 1931~~ **THAT ACT.**

22 (z) Former section 2 of ~~Act No. 38 of the Public Acts of the~~
23 ~~Extra Session of 1950~~ **1950 (EX SESS) PA 38.**

24 (aa) Former section 6 of ~~Act No. 117 of the Public Acts of~~
25 ~~1952~~ **1952 PA 117.**

26 (bb) Section 1, 2, or 3 of ~~Act No. 302 of the Public Acts of~~
27 ~~1968, as amended, being section 752.541, 752.542, or 752.543 of the~~

1 ~~Michigan Compiled Laws 1968 PA 302, MCL 752.541, 752.542, AND~~
2 ~~752.543.~~

3 (cc) Section 7401(2)(a), 7401(2)(b), 7402(2)(a), or 7402(2)(b)
4 of the public health code, ~~Act No. 368 of the Public Acts of 1978,~~
5 ~~being section 333.7401 or 333.7402 of the Michigan Compiled Laws~~
6 ~~1978 PA 368, MCL 333.7401 AND 333.7402.~~

7 Enacting section 1. This amendatory act does not take effect
8 unless Senate Bill No. 762

9 of the 95th Legislature is enacted into law.