



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4071 (as reported without amendment)
Sponsor: Representative Matt Lori
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the Corrections Code to revise the criteria for housing two or more inmates in a county jail cell. The bill would do all of the following:

- Reduce from 52 to 25 the square footage required per inmate in county jail cells designed for housing two or more inmates, and require at least 35 square feet per inmate if the inmates were confined in the cell for 10 hours or longer per day.
- Delete a requirement that, for housing two inmates in a cell designed for single occupancy, prisoners have "unrestricted" access to a day area and that the day area be available at least 14 hours per day.
- Delete a provision allowing a person who has no prior criminal convictions to be housed only with another inmate who does not have a prior felony conviction.
- Delete a prohibition against housing an inmate in a cell with another inmate if he or she was convicted of and sentenced for certain crimes.
- Remove a provision under which not more than 75% of the inmate population may be housed two to a cell, in facilities designed for single occupancy.
- Delete a prohibition against the construction of high-security and segregation cells to house multiple inmates.

MCL 791.262b & 791.262c

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. The bill could potentially result in savings for the State if additional county jail bed capacity resulted in fewer commitments to State prisons. The State currently pays an average annual cost of \$34,000 to house an offender in a correctional facility.

From the county perspective, the bill would have one of two potential effects. For counties where jail capacity has regularly been met or exceeded, savings could accrue if these counties were allowed to house additional offenders rather than moving them to other locations. For counties that generally have excess capacity in their jails, the bill could reduce revenue obtained by housing offenders from neighboring counties.

Date Completed: 10-5-11

Fiscal Analyst: Matthew Grabowski