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BILL



ANALYSIS

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Senate Bill 941 (Substitute S-1 as reported)
Sponsor: Senator Rick Jones
Committee: Michigan Competitiveness

CONTENT

The bill would amend the Corrections Code to establish procedures that would apply if the Governor requested the Parole Board to expedite the review and hearing process for a reprieve, commutation, or pardon based in part on a prisoner's medical condition. The expedited process generally would parallel the current process, but would include several shortened time frames.

Specifically, if the Governor made such a request, within 10 days (rather than 60 days) after receiving an application for a reprieve, commutation, or pardon, the Parole Board would have to conduct a review to determine whether the application had merit.

Within five days (rather than 10 days) after determining that the application had merit, the Parole Board would have to forward various items to the sentencing judge and the prosecuting attorney of the county having original jurisdiction of the case, or their successors. The sentencing judge and the prosecutor then would have at least 30 days to respond. (The current process gives them up to 30 days to respond; the bill would change this time frame to not less than 30 days.)

The Parole Board would have to direct the Bureau of Health Care Services to evaluate and report on the prisoner's physical and mental condition. (Currently, this is required if an application is based on physical or mental incapacity.)

Within 90 days (rather than 270 days) after receiving an application that the Parole Board determined to have merit, the Board would have to make a full investigation and determination on whether to proceed to a public hearing.

As currently required, the Parole Board would have to conduct a public hearing with 90 days after deciding to proceed with a recommendation to grant a reprieve, commutation, or pardon; give at least 30 days' notice of the hearing to the Attorney General, the sentencing judge, the prosecuting attorney, and each victim who requested notice; give the victim an opportunity to address the Board or submit written testimony; and transmit its formal recommendation to the Governor.

MCL 791.244 et al.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-27-16

Fiscal Analyst: Ryan Bergan

floor/sb941

Bill Analysis @ www.senate.michigan.gov/sfa

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