

SUBSTITUTE FOR
HOUSE BILL NO. 4965

A bill to amend 1953 PA 232, entitled
"Corrections code of 1953,"
(MCL 791.201 to 791.285) by adding section 14a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 14A. (1) THE FAMILY ADVISORY BOARD IS CREATED WITHIN THE
2 DEPARTMENT. THE BOARD SHALL CONSIST OF NOT FEWER THAN 10 AND NOT
3 MORE THAN 15 MEMBERS, INCLUDING THE FOLLOWING:

4 (A) ONE INDIVIDUAL APPOINTED BY THE GOVERNOR WHO IS AN
5 EMPLOYEE OF THE DEPARTMENT FROM THE COMMUNITY CORRECTIONS DIVISION.

6 (B) THE LEGISLATIVE CORRECTIONS OMBUDSMAN.

7 (2) THE BOARD SHALL ALSO INCLUDE THE FOLLOWING MEMBERS
8 APPOINTED BY THE GOVERNOR BASED UPON THE RECOMMENDATIONS SUBMITTED
9 TO THE GOVERNOR BY NONPROFIT ENTITIES SERVING INDIVIDUALS WITH
10 FAMILY MEMBERS WHO ARE INCARCERATED:

1 (A) NOT FEWER THAN 2 OR MORE THAN 3 INDIVIDUALS WHO ARE FAMILY
2 MEMBERS OF INDIVIDUALS CURRENTLY INCARCERATED IN MICHIGAN.

3 (B) NOT FEWER THAN 1 OR MORE THAN 3 INDIVIDUALS WHO ARE FAMILY
4 MEMBERS OF INDIVIDUALS WHO WERE FORMERLY INCARCERATED IN MICHIGAN.

5 (C) NOT FEWER THAN 1 INDIVIDUAL WHO HAS A PARENT FORMERLY OR
6 CURRENTLY INCARCERATED IN MICHIGAN.

7 (D) NOT FEWER THAN 1 OR MORE THAN 2 INDIVIDUALS WHO WERE
8 FORMERLY INCARCERATED IN MICHIGAN.

9 (E) ONE INDIVIDUAL WHO IS A SOCIAL WORKER WHO HAS TRAINING AND
10 EXPERTISE DEALING WITH MENTAL HEALTH AND ISSUES ASSOCIATED WITH
11 MENTAL HEALTH.

12 (F) ONE INDIVIDUAL WHO IS AN ADVOCATE FOR OR MENTOR TO
13 INDIVIDUALS INCARCERATED IN MICHIGAN.

14 (G) NOT FEWER THAN 1 OR MORE THAN 2 INDIVIDUALS REPRESENTING
15 THE STATE BAR OF MICHIGAN WHO HAVE EXPERIENCE WORKING WITH FORMERLY
16 OR CURRENTLY INCARCERATED INDIVIDUALS AND THEIR FAMILY MEMBERS.

17 (3) EXCEPT FOR THE MEMBERS DESCRIBED IN SUBSECTION (1),
18 MEMBERS OF THE BOARD SHALL SERVE FOR A TERM OF 2 YEARS, EXCEPT THAT
19 OF THE MEMBERS FIRST APPOINTED, 5 SHALL SERVE 1-YEAR TERMS WITH THE
20 REMAINING MEMBERS SERVING 2-YEAR TERMS.

21 (4) THE MEMBERS DESCRIBED IN SUBSECTION (1) SHALL SERVE FOR
22 TERMS WITHOUT EXPIRATION, EXCEPT THAT A MEMBER DESCRIBED IN
23 SUBSECTION (1) (A) SHALL ONLY SERVE AS A MEMBER OF THE BOARD SO LONG
24 AS HE OR SHE IS A DEPARTMENT EMPLOYEE. A VACANCY CREATED AS A
25 RESULT OF A MEMBER DESCRIBED IN SUBSECTION (1) (A) NO LONGER BEING
26 EMPLOYED BY THE DEPARTMENT SHALL BE FILLED IN THE SAME MANNER AS
27 THE ORIGINAL APPOINTMENT.

1 (5) A VACANCY ON THE BOARD SHALL BE FILLED IN THE SAME MANNER
2 AS THE ORIGINAL APPOINTMENT. A MEMBER APPOINTED TO FILL A VACANCY
3 OCCURRING OTHER THAN BY EXPIRATION OF A TERM SHALL BE APPOINTED FOR
4 THE REMAINDER OF THE UNEXPIRED TERM.

5 (6) THE FIRST MEETING OF THE BOARD SHALL BE CALLED NOT MORE
6 THAN 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
7 ADDED THIS SECTION. AT THE FIRST MEETING, THE BOARD SHALL ELECT
8 FROM AMONG ITS MEMBERS A CHAIRPERSON AND OTHER OFFICERS AS IT
9 CONSIDERS NECESSARY OR APPROPRIATE, WHO SHALL SERVE 1-YEAR TERMS
10 AND WHO MAY BE REELECTED. AFTER THE FIRST MEETING, THE BOARD SHALL
11 MEET AT LEAST QUARTERLY, OR MORE FREQUENTLY AT THE CALL OF THE
12 CHAIRPERSON, OR IF REQUESTED BY A MAJORITY OF THE MEMBERS THEN
13 SERVING.

14 (7) A MAJORITY OF THE MEMBERS OF THE BOARD CONSTITUTE A QUORUM
15 FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE BOARD. A
16 MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR THE
17 OFFICIAL ACTION OF THE BOARD.

18 (8) THE BUSINESS THAT THE BOARD MAY PERFORM SHALL BE CONDUCTED
19 AT A PUBLIC MEETING OF THE BOARD HELD IN COMPLIANCE WITH THE OPEN
20 MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

21 (9) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
22 RETAINED BY THE BOARD IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS
23 SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231
24 TO 15.246.

25 (10) MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION.
26 HOWEVER, MEMBERS OF THE BOARD MAY BE REIMBURSED FOR THEIR ACTUAL
27 AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR

1 OFFICIAL DUTIES AS MEMBERS OF THE BOARD.

2 (11) THE BOARD SHALL DO ALL OF THE FOLLOWING:

3 (A) ASSIST AND ADVISE THE DEPARTMENT REGARDING THE DEVELOPMENT
4 OF POLICIES AND PROCEDURES THAT SUPPORT FAMILY REUNIFICATION DURING
5 AND AFTER INCARCERATION.

6 (B) ASSIST AND ADVISE THE DEPARTMENT REGARDING THE DEVELOPMENT
7 OF PROGRAMS THAT SUPPORT FAMILY REUNIFICATION DURING AND AFTER
8 INCARCERATION.

9 (C) ENHANCE COMMUNICATION BETWEEN THE DEPARTMENT AND FAMILIES
10 REGARDING ISSUES THAT IMPACT A BROAD RANGE OF INCARCERATED AND
11 FORMERLY INCARCERATED INDIVIDUALS AND THEIR FAMILIES, INCLUDING,
12 BUT NOT LIMITED TO, GATHERING INFORMATION FROM INDIVIDUALS IN THE
13 REGION AND ACROSS THE STATE WITH FAMILY MEMBERS WHO ARE OR HAVE
14 BEEN INCARCERATED, INCLUDING A REVIEW OF COMMENT CARDS SUBMITTED AT
15 INDIVIDUAL CORRECTIONAL FACILITIES.

16 (D) IDENTIFY BARRIERS CONCERNING FAMILY REUNIFICATION DURING
17 AND AFTER INCARCERATION.

18 (E) FILE AN ANNUAL REPORT WITH THE CHAIRS OF THE COMMITTEES OF
19 THE SENATE AND HOUSE OF REPRESENTATIVES CONCERNED WITH THE
20 DEPARTMENT AND CRIMINAL JUSTICE ISSUES REGARDING ITS ACTIVITIES
21 UNDER THIS SECTION. THE REPORT SHALL BE FILED NOT LATER THAN
22 OCTOBER 1 OF EACH YEAR.

23 (12) THE DEPARTMENT SHALL PROVIDE ANY STAFFING NECESSARY FOR
24 THE BOARD TO FULFILL ITS DUTIES UNDER THIS SECTION.

25 (13) THE BOARD MAY, IN ITS DISCRETION, CREATE REGIONAL
26 COMMITTEES OR FACILITY-FOCUSED FAMILY COUNCILS TO CARRY OUT ITS
27 DUTIES.

Enacting section 1. This amendatory act takes effect [October 1,
2018.]