

Act No. 11
Public Acts of 2017
Approved by the Governor
March 30, 2017
Filed with the Secretary of State
March 31, 2017
EFFECTIVE DATE: June 29, 2017

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

**Introduced by Senators Shirkey, O'Brien, Proos, Colbeck, Knollenberg, Jones, Booher, Horn, Schuitmaker,
Brandenburg, Hansen, Kowall, Gregory, Johnson and Warren**

ENROLLED SENATE BILL No. 17

AN ACT to create the supervising region incentive program act; to create the supervising region incentive fund; to provide for use of the fund; to provide for the powers and duties of certain state and local governmental officers and entities; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 1. This act shall be known and may be cited as the “supervising region incentive act”.

Sec. 2. As used in this act:

(a) “Avoided costs” means the amount of money that the department would have expended if there were no reduction in the number of parole or probation revocations within a field operations administration region calculated based upon historical data compared to actual department costs for offender monitoring.

(b) “Department” means the department of corrections.

(c) “Field operations administration region” means 1 of the geographic regions delineated by the department that oversee offenders within the region.

(d) “Measurable reduction in parole and probation revocations” means a field operations administration region has achieved a quantifiable reduction in both parole and probation revocations as a percentage of the total number of offenders in each supervised population by the end of a quarter compared to the number of both parole and probation revocations as a percentage of the total number of offenders in each supervised population in the field operations administration region in the previous quarter of a 12-month period.

(e) “Offender” means an individual placed on felony probation or serving a period of parole.

(f) “Supervising agent” means an individual employed by the department to supervise offenders.

Sec. 3. (1) The supervising region incentive fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund, including general fund appropriations, gifts, grants, and bequests. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and not lapse to the general fund.

(4) The department is the administrator of the fund for auditing purposes.

(5) The department shall expend money from the fund, upon appropriation, only for 1 or both of the following purposes:

(a) As an incentive to field operations administration regions that implement supervision practices, procedures, and sanctions directed at parole and probation revocation reduction within the region.

(b) To assist field operations administration regions to implement supervision practices, procedures, and sanctions directed at parole and probation revocation reduction within the region.

(6) The department shall not expend money from the fund to provide direct monetary payments to a supervising agent.

Sec. 4. (1) By January 1, 2018, the department shall adopt a supervising region incentive program to be offered to field operations administration regions that agree to seek a measurable reduction in parole and probation revocations.

(2) To be eligible to receive funding from the supervising region incentive fund created in section 3 under the supervising region incentive program under subsection (1), a field operations administration region shall enter into an agreement with the department to seek a measurable reduction in parole and probation revocations, by implementing the practices, procedures, and sanctions, as applicable, under the parole sanction certainty act in chapter IIIB of the corrections code of 1953, 1953 PA 232, MCL 791.258 to 791.258g, as well as other efforts to reduce parole and probation revocations.

(3) The department shall make an equal share of 20% of the total incentive funds available in the supervising region incentive fund created in section 3 for each field operations administration region in this state, calculated by the number of field operations administration regions in this state that agree to participate in the supervising region incentive program and the total amount of money in the fund, available to a field operations administration region that enters into an agreement under subsection (2) to be used by the field operations administration region to begin implementing the supervision practices described in subsection (2).

(4) If a field operations administration region accesses funds under subsection (3), the time period for seeking a measurable reduction in parole and probation revocations begins to run.

(5) A field operations administration region shall work with local law enforcement agencies within the region, including the sheriff's departments, circuit courts, county prosecutor's offices, and community corrections programs in developing the region's plan to reduce parole and probation revocations.

(6) Except as provided in subsection (3), a field operations administration region shall only receive incentive funding under this section for the quarters in which the field operations administration region achieves a measurable reduction in parole and probation revocations, as compared to the previous quarter.

(7) If a field operations administration region is eligible to receive funding under subsection (6), the department shall, on a quarterly basis, provide the field operations administration region an equal share of 20% of the total incentive funds available in the supervising region incentive fund created in section 3 calculated as described under subsection (3).

(8) A field operations administration region that receives incentive funding under this section shall divide the funds between the parole and probation divisions within the field operations administration region in a manner that is commensurate to the percentage of offenders in each division.

Sec. 5. Incentive funding received by a field operations administration region must only be used for the following purposes:

(a) The purchase and maintenance of monitoring technology.

(b) Job training.

(c) Substance abuse treatment.

(d) Mental health counseling and treatment.

(e) Approved parolee and probationer incentive programs.

(f) Hiring additional supervising agents to reduce supervising agent caseloads.

(g) Reimbursement for jail services.

(h) Evidence-based cognitive or behavioral programs and practices that have demonstrated success in reducing recidivism.

Sec. 6. The department shall submit an annual report not later than November 1 of each year, providing all of the following to the members of the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies:

(a) Which and how many of the field operations administration regions are participating in the incentive funding program adopted under section 4.

(b) The total, if any, of the avoided costs of incarceration realized through the implementation of the supervision practices, procedures, and sanctions for offenders described in section 4.

(c) The total, if any, of the avoided costs of the probation or parole revocation process realized through the implementation of the supervision practices, procedures, and sanctions for the offenders described in section 4.

Sec. 7. This act is repealed 5 years after the effective date of this act.

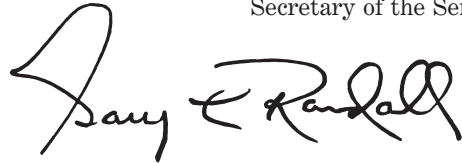
Enacting section 1. This act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This act does not take effect unless Senate Bill No. 16 of the 99th Legislature is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor

Compiler's note: Senate Bill No. 16, referred to in enacting section 2, was filed with the Secretary of State March 31, 2017, and became 2017 PA 22, Eff. June 29, 2017.