

CORRECTIONS CODE OF 1953 (EXCERPT)
Act 232 of 1953

791.223a Probation personnel as members of state classified civil service; compensation of county probation employees; plan; rents, contractual services, supplies, materials, and equipment.

Sec. 23a. (1) Effective April 1, 1980, all probation personnel in the circuit court of this state and recorder's court of the city of Detroit shall be considered state employees for purposes of supervision and direction. County probation personnel may transfer their employment from a county probation department to state classified civil service pursuant to procedures established by the civil service commission. County probation personnel who wish to remain county employees may elect to do so pursuant to this section. Not later than 6 years after the effective date of this section, all probation employees shall be members of the state classified civil service.

(2) Effective April 1, 1980, all new employees hired as probation personnel shall be members of the state classified civil service.

(3) If a county probation employee remains an employee of the county, the county shall receive an amount from the state equal to the base state civil service salary or county salary, whichever is the lesser. Funds provided by the state pursuant to this section shall be used exclusively for the purpose of compensating county probation employees. The county shall provide for all salary in excess of the state base salary, travel, fringe benefits, and retirement for personnel choosing to remain as county employees.

(4) The civil service commission, in consultation with the department of corrections and affected counties, shall develop a plan effective April 1, 1980, which shall include provisions relating to the transfer of seniority rights, longevity, and accumulated annual and sick leave of county probation office personnel electing to join the state classified civil service. The plan shall specify procedures for the supervision, direction, and disciplinary removal of county probation personnel. If applicable, Act No. 88 of the Public Acts of 1961, as amended, being sections 38.1101 to 38.1105 of the Michigan Compiled Laws, shall apply.

(5) All rents, contractual services, supplies, materials, and equipment which are a county responsibility on the effective date of this section, shall continue to be a county responsibility.

History: Add. 1979, Act 89, Eff. Apr. 1, 1980;—Am. 1979, Act 210, Imd. Eff. Jan. 10, 1980.

Compiler's note: Sections 2, 3, and 4 of Act 210 of 1979 provide:

“P.A. 1979, No. 89, section 4, amended; effective date.

“Section 2. The enacting section of Act No. 89 of the Public Acts of 1979, is amended to read as follows:

“Section 4. This amendatory act shall take effect April 1, 1980.

“Effective date of P.A. 1979, Nos. 81 and 89, in certain counties; funds for probation services.

“Section 3. The provisions of Act Nos. 81 and 89 of the Public Acts of 1979 shall not take effect in a county with a population of 1.5 million or more prior to a majority vote of the elected members of the county's board of commissioners to place the question of the creation of a charter commission under the terms of enacted Senate Bill No. 652 before the county electorate. Subsequent to the above action by the board of commissioners, funds appropriated for probation services for a county with a population of 1.5 million or more shall become immediately effective, and shall be retroactive to the extent of the funds provided.

“Implementation of P.A. 1979, Nos. 81 and 89; effect of refusal to provide probation support costs.

“Section 4. Implementation of Act Nos. 81 and 89 of the Public Acts of 1979 shall not be effective in counties which refuse to provide probation support costs as required in those acts.”

Popular name: Department of Corrections Act