

PRISON CODE (EXCERPT)
Act 118 of 1893

800.34 Disciplinary time; receipt for each major misconduct; accumulation; consideration for concurrent or consecutive sentences; reduction; "prisoner subject to disciplinary time" defined.

Sec. 34. (1) A prisoner subject to disciplinary time shall receive disciplinary time for each major misconduct for which he or she is found guilty as prescribed by rule pursuant to section 35.

(2) Accumulated disciplinary time shall be submitted to the parole board for the parole board's consideration at the prisoner's parole review or interview. A prisoner's minimum sentence, plus disciplinary time, shall not exceed his or her maximum sentence.

(3) A prisoner who has been sentenced concurrently for separate convictions shall have his or her disciplinary time considered by the parole board on each sentence individually. If a prisoner is serving consecutive sentences for separate convictions, his or her disciplinary time shall be considered by the parole board on each sentence individually.

(4) A prisoner subject to disciplinary time may have any or all of his or her accumulated disciplinary time reduced by the department if he or she has demonstrated exemplary good conduct during the term of imprisonment. Disciplinary time deducted pursuant to this section may be restored if the prisoner is found guilty of a major misconduct.

(5) As used in this act, "prisoner subject to disciplinary time" includes both of the following:

(a) A prisoner sentenced to an indeterminate term of imprisonment for any of the following crimes committed on or after December 15, 1998:

(i) A violation of section 625(4) or (5) of the Michigan vehicle code, 1949 PA 300, MCL 257.625.

(ii) A violation of section 80176(4) or (5) of part 801 (marine safety) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80176.

(iii) A violation of section 72, 73, 80, 82, 83, 84, 86, 87, 88, 89, 90, 110a(2), 112, 136b(2), 145c, 204, 204a, 205, 205a, 206, 207, 208, 210, 211, 211a, 213, 316, 317, 319, 321, 322, 327, 328, 329, 349, 349a, 350, 357, 397, 411i, 479b, 520b, 520c, 520d, 520e, 520g, 529, 529a, 530, or 531 of the Michigan penal code, 1931 PA 328, MCL 750.72, 750.73, 750.80, 750.82, 750.83, 750.84, 750.86, 750.87, 750.88, 750.89, 750.90, 750.110a, 750.112, 750.136b, 750.145c, 750.204, 750.204a, 750.205, 750.205a, 750.206, 750.207, 750.208, 750.210, 750.211, 750.211a, 750.213, 750.316, 750.317, 750.319, 750.321, 750.322, 750.327, 750.328, 750.329, 750.349, 750.349a, 750.350, 750.357, 750.397, 750.411i, 750.479b, 750.520b, 750.520c, 750.520d, 750.520e, 750.520g, 750.529, 750.529a, 750.530, and 750.531.

(iv) A violation of section 1 of 1931 PA 214, MCL 752.191.

(v) A violation of section 1, 2, or 2a of 1968 PA 302, MCL 752.541, 752.542, and 752.542a.

(vi) Any offense not listed in subparagraphs (i) to (v) that is punishable by life imprisonment.

(vii) An attempt, conspiracy, or solicitation to commit an offense described in subparagraphs (i) to (vi).

(b) A prisoner sentenced to an indeterminate term of imprisonment for any crime not listed in subdivision (a), if that crime was committed on or after December 15, 2000.

History: Add. 1994, Act 218, Eff. Dec. 15, 1998;—Am. 1996, Act 83, Eff. July 30, 1998;—Am. 1998, Act 316, Eff. Dec. 15, 1998.

Compiler's note: For transfer of powers and duties of Michigan parole and commutation board to Michigan parole board within department of corrections, and abolishment of Michigan parole and commutation board, see E.R.O. No. 2011-3, compiled at MCL 791.305.

Popular name: Prison Code