

THE STATE CORRECTIONAL FACILITY REIMBURSEMENT ACT (EXCERPT)
Act 253 of 1935

800.404a Remedy, interim order, or enforcement procedure; receiver; execution against homestead prohibited.

Sec. 4a. (1) Except as provided in subsection (3), in seeking to secure reimbursement under this act, the attorney general may use any remedy, interim order, or enforcement procedure allowed by law or court rule including an ex parte restraining order to restrain the prisoner or any other person or legal entity in possession or having custody of the estate of the prisoner from disposing of certain property pending a hearing on an order to show cause why the particular property should not be applied to reimburse the state as provided for under this act.

(2) To protect and maintain assets pending resolution of an action under this act, the court, upon request, may appoint a receiver.

(3) The attorney general or a prosecuting attorney shall not enforce any judgment obtained under this act by means of execution against the homestead of the prisoner.

History: 1935, Act 253, Imd. Eff. June 8, 1935;—CL 1948, 800.404a;—Am. 1984, Act 282, Imd. Eff. Dec. 20, 1984.

Constitutionality: The Prison Reimbursement Act was intended to apply to all inmates of the state penal system and was not limited to the inmates of the three penal institutions named in the act and in existence at the time of its passage; nor is the act violative of the constitutional guarantee of equal protection. *State Treasurer v Wilson*, 423 Mich 138; 347 NW2d 770 (1985).