

**COUNTY JAIL OVERCROWDING STATE OF EMERGENCY (EXCERPT)**  
**Act 325 of 1982**

\*\*\*\*\* 801.51.amended THIS AMENDED SECTION IS EFFECTIVE FEBRUARY 11, 2008 \*\*\*\*\*

**801.51.amended Definitions.**

Sec. 1. As used in this act:

(a) "County jail" means a facility operated by a county for the physical detention and correction of persons charged with or convicted of criminal offenses and ordinance violations, persons found guilty of civil or criminal contempt, and juveniles detained by court order.

(b) "Department of corrections" means the state department of corrections.

(c) "Prisoner" means a person who is currently being physically detained in a county jail.

(d) "Rated design capacity" means the actual available bed space of the general population of a county jail as determined by the department of corrections.

**History:** 1982, Act 325, Eff. Feb. 8, 1983;—Am. 2007, Act 140, Eff. Feb. 11, 2008.

**Constitutionality:** The county jail overcrowding act does not infringe upon the Governor's power of executive clemency. *Kent Pros v. Sheriff* (On Reh) 428 Mich. 314, 409 N.W.2d 202 (1987).

**Popular name:** Jail Overcrowding Emergency Powers Act