

Act No. 252
Public Acts of 1989
Approved by the Governor
December 24, 1989
Filed with the Secretary of State
December 26, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Reps. Stupak, Brown, Gubow, Martin, Palamara and London

ENROLLED HOUSE BILL No. 4323

AN ACT to amend section 33b of Act No. 232 of the Public Acts of 1953, entitled as amended "An act to revise, consolidate, and codify the laws relating to probationers and probation officers as herein defined, to pardons, reprieves, commutations, and paroles, to the administration of penal institutions, correctional farms, and probation recovery camps, to prison labor and prison industries, and the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are hereby transferred; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act," as amended by Act No. 458 of the Public Acts of 1982, being section 791.233b of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 33b of Act No. 232 of the Public Acts of 1953, as amended by Act No. 458 of the Public Acts of 1982, being section 791.233b of the Michigan Compiled Laws, is amended to read as follows:

Sec. 33b. A person convicted and sentenced for the commission of any of the following crimes shall not be eligible for parole until the person has served the minimum term imposed by the court less an allowance for disciplinary credits as provided in section 33(5) of Act No. 118 of the Public Acts of 1893, being section 800.33 of the Michigan Compiled Laws, but shall not be eligible for special parole:

(a) Section 13 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.13 of the Michigan Compiled Laws.

(b) Section 14 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.14 of the Michigan Compiled Laws.

- (c) Section 72, 73, or 75 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.72, 750.73, or 750.75 of the Michigan Compiled Laws.
- (d) Section 80, 82, 83, 84, 85, 86, 87, 88, 89, or 90 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.80, 750.82, 750.83, 750.84, 750.85, 750.86, 750.87, 750.88, 750.89, or 750.90 of the Michigan Compiled Laws.
- (e) Section 91 or 92 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.91 or 750.92 of the Michigan Compiled Laws.
- (f) Section 110, 112, or 116 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.110, 750.112, or 750.116 of the Michigan Compiled Laws.
- (g) Section 135, 136b(2), or 136b(3) of Act No. 328 of the Public Acts of 1931, as amended, being section 750.135 or 750.136b of the Michigan Compiled Laws, or under former section 136a of Act No. 328 of the Public Acts of 1931.
- (h) Section 158 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.158 of the Michigan Compiled Laws.
- (i) Section 160 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.160 of the Michigan Compiled Laws.
- (j) Section 171 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.171 of the Michigan Compiled Laws.
- (k) Section 194 or 196 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.194 or 750.196 of the Michigan Compiled Laws.
- (l) Section 204, 205, 206, 207, 208, 209, or 213 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.204, 750.205, 750.206, 750.207, 750.208, 750.209, or 750.213 of the Michigan Compiled Laws.
- (m) Section 224, 226, or 227 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.224, 750.226, or 750.227 of the Michigan Compiled Laws.
- (n) Section 316, 317, 319, 321, 322, 323, 327, 328, or 329 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.316, 750.317, 750.319, 750.321, 750.322, 750.323, 750.327, 750.328, or 750.329 of the Michigan Compiled Laws.
- (o) Section 333 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.333 of the Michigan Compiled Laws.
- (p) Section 338, 338a, 338b, or 341 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.338, 750.338a, 750.338b, or 750.341 of the Michigan Compiled Laws.
- (q) Section 349, 349a, or 350 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.349, 750.349a, or 750.350 of the Michigan Compiled Laws.
- (r) Section 357 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.357 of the Michigan Compiled Laws.
- (s) Section 386 or 392 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.386 or 750.392 of the Michigan Compiled Laws.
- (t) Section 397 or 397a of Act No. 328 of the Public Acts of 1931, as amended, being section 750.397 or 750.397a of the Michigan Compiled Laws.
- (u) Section 436 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.436 of the Michigan Compiled Laws.
- (v) Section 511 or 517 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.511 or 750.517 of the Michigan Compiled Laws.
- (w) Section 520b, 520c, 520d, or 520g of Act No. 328 of the Public Acts of 1931, as amended, being section 750.520b, 750.520c, 750.520d, or 750.520g of the Michigan Compiled Laws.
- (x) Section 529, 530, or 531 of Act No. 328 of the Public Acts of 1931, as amended, being section 750.529, 750.530, or 750.531 of the Michigan Compiled Laws.
- (y) Section 544 or 545a of Act No. 328 of the Public Acts of 1931, as amended, being section 750.544 or 750.545a of the Michigan Compiled Laws.
- (z) Section 2 of Act No. 38 of the Public Acts of 1950 Ex. Sess., as amended, being section 752.312 of the Michigan Compiled Laws.
- (aa) Section 6 of Act No. 117 of the Public Acts of 1952, as amended, being section 752.326 of the Michigan Compiled Laws.
- (bb) Section 1, 2, 3, or 4 of Act No. 302 of the Public Acts of 1968, as amended, being section 752.541, 752.542, 752.543, or 752.544 of the Michigan Compiled Laws.

(cc) Section 7401(2)(a), 7401(2)(b), 7402(2)(a), or 7402(2)(b) of Act No. 368 of the Public Acts of 1978, being section 333.7401 or 333.7402 of the Michigan Compiled Laws.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.