

Act No. 107  
Public Act of 1989  
June 27, 1989  
Filed by the Secretary of State  
June 27, 1989

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

Introduced by Reps. Van Singel, DeMars, Alley, Walberg, Middaugh, Allen, Emmons, Nye, Niederstadt and Munsell

# **ENROLLED HOUSE BILL No. 4762**

AN ACT to amend 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, being sections 791.201 to 791.283 of the Michigan Compiled Laws; by adding section 20f.

*The People of the State of Michigan enact:*

Section 1. Act No. 232 of the Public Acts of 1953, as amended, being sections 791.201 to 791.283 of the Michigan Compiled Laws, is amended by adding section 20f to read as follows:

Sec. 20f. (1) A correctional facility constructed after the effective date of this section shall be constructed in compliance with at least 1 of the following requirements:

(a) A distance of not less than 300 feet exists between each adjacent residential dwelling and any part of the correctional facility or grounds that is within the security perimeter.

(b) A buffer zone is constructed between the correctional facility and all adjacent residential dwellings. The buffer zone shall be designed to block sight and to block or reduce sound, and may consist of an earth berm or trees or other plants, or materials that would have a substantially similar effect. A fence does not meet the requirements of this subdivision.

(2) As used in this section, "correctional facility" means any facility that houses prisoners under the jurisdiction of the department, but does not include a halfway house, community corrections center, or community residential home.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.