

HOUSE BILL No. 4001

January 11, 1989, Introduced by Rep. Terrell and referred to the Committee on Corrections.

A bill 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 64a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 232 of the Public Acts of 1953, as
2 amended, being sections 791.201 to 791.283 of the Michigan
3 Compiled Laws, is amended by adding section 64a to read as
4 follows:

5 SEC. 64A. (1) THE DEPARTMENT SHALL PROVIDE FOR CONJUGAL
6 VISITS BETWEEN PRISONERS AND THEIR SPOUSES. EVERY MARRIED PRIS-
7 ONER INCARCERATED IN A CORRECTIONAL FACILITY IS ELIGIBLE FOR CON-
8 JUGAL VISITS, EXCEPT A PRISONER WHOSE SECURITY CLASSIFICATION, AS
9 ASSIGNED BY THE DEPARTMENT, IS "MAXIMUM" OR ANOTHER COMPARABLE
10 CLASSIFICATION SIGNIFYING THAT THE STRICTEST LEVEL OF SUPERVISION
11 IS REQUIRED FOR THAT PRISONER.

12 (2) A CONJUGAL VISIT ALLOWED UNDER THIS SECTION SHALL BE FOR
13 NOT LESS THAN 24 HOURS, AND THE PRISONER AND HIS OR HER SPOUSE
14 SHALL BE HOUSED FOR THE DURATION OF THE VISIT IN FACILITIES SEPA-
15 RATE FROM THE CORRECTIONAL FACILITY AND SPECIFICALLY RESERVED FOR
16 THAT PURPOSE.

17 (3) THE CONJUGAL VISITS PROVIDED FOR IN THIS SECTION ARE IN
18 ADDITION TO THE ORDINARY VISITATION PRIVILEGES OTHERWISE ALLOWED
19 BY THE DEPARTMENT FOR PRISONERS INCARCERATED IN STATE CORREC-
20 TIONAL FACILITIES.