

SENATE BILL No. 99

February 7, 1989, Introduced by Senators DILLINGHAM,
NICHOLS, GEAKE, WELBORN, CROPSEY, N. SMITH and BINSFELD
and referred to the Committee on Judiciary.

A bill to amend Act No. 87 of the Public Acts of 1985, entitled as amended
"Crime victim's rights act,"
as amended, being sections 780.751 to 780.834 of the Michigan
Compiled Laws, by adding section 17a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 87 of the Public Acts of 1985, as
2 amended, being sections 780.751 to 780.834 of the Michigan
3 Compiled Laws, is amended by adding section 17a to read as
4 follows:

5 SEC. 17A. (1) IF A JUDGMENT IN EXCESS OF \$500.00 IS RENDERED
6 AGAINST THE DEPARTMENT OF CORRECTIONS OR A PAST OR PRESENT OFFI-
7 CIAL OR EMPLOYEE OF THE DEPARTMENT OF CORRECTIONS IN FAVOR OF A
8 PRISONER FOR DAMAGES INCURRED WHILE THE PRISONER WAS COMMITTED TO
9 THE DEPARTMENT, BOTH OF THE FOLLOWING SHALL APPLY:

1 (A) WITHIN 14 DAYS AFTER ENTRY OF THE JUDGMENT, THE
2 DEPARTMENT SHALL GIVE NOTICE OF THE JUDGMENT TO THE PROSECUTING
3 ATTORNEY FOR THE COUNTY IN WHICH THE PRISONER WAS CONVICTED OF
4 THE CRIME AGAINST THE VICTIM.

5 (B) WITHIN 14 DAYS AFTER RECEIVING THE NOTICE REQUIRED UNDER
6 SUBDIVISION (A), THE PROSECUTING ATTORNEY SHALL GIVE TO THE
7 VICTIM OF THE CRIME FOR WHICH THE PRISONER WAS COMMITTED TO THE
8 DEPARTMENT NOTICE OF THE JUDGMENT AND OF THE VICTIM'S RIGHT TO
9 CONTACT THE PROSECUTING ATTORNEY FOR ADVICE CONCERNING THE
10 VICTIM'S RIGHTS UNDER THE LAW TO SUE THE PRISONER FOR DAMAGES.

11 (2) IF A VICTIM TO WHOM NOTICE IS GIVEN UNDER SUBSECTION (1)
12 REQUESTS ADVICE CONCERNING HIS OR HER RIGHTS UNDER THE LAW TO SUE
13 THE PRISONER, THE PROSECUTING ATTORNEY SHALL GIVE THE ADVICE BUT
14 SHALL NOT BRING A CIVIL ACTION FOR DAMAGES ON BEHALF OF THE
15 VICTIM.

16 Section 2. This amendatory act shall not take effect unless
17 Senate Bill No. 98

18 of the 85th Legislature is enacted into law.