

SENATE BILL No. 210

March 7, 1989, Introduced by Senators GEAKE, CARL,
SHINKLE, CROPSEY, POSTHUMUS, SCHWARZ and FAUST
and referred to the Committee on Economic Development.

A bill to amend the title and sections 1, 2, and 3 of Act
No. 210 of the Public Acts of 1945, entitled

"An act to authorize county sheriffs to adopt rules and regula-
tions for the conduct of prisoners in their custody; to provide
for the keeping of certain records in connection with said pris-
oners; and to credit said prisoners with good behavior allowance
for obeying said rules and regulations,"

section 2 as amended by Act No. 115 of the Public Acts of 1986,
being sections 51.281, 51.282, and 51.283 of the Michigan
Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 1, 2, and 3 of Act
2 No. 210 of the Public Acts of 1945, section 2 as amended by Act
3 No. 115 of the Public Acts of 1986, being sections 51.281,
4 51.282, and 51.283 of the Michigan Compiled Laws, are amended to
5 read as follows:

TITLE

An act to authorize county sheriffs OR PERSONS RESPONSIBLE FOR OPERATING PRIVATE JAILS to adopt rules and regulations for the conduct of prisoners in their custody; to provide for the keeping of certain records in connection with ~~said~~ prisoners; and to credit ~~said~~ prisoners with good behavior allowance for obeying ~~said~~ THE rules and regulations.

Sec. 1. (1) ~~The~~ A COUNTY sheriff ~~of any county~~ OR A KEEPER OF A JAIL may prescribe rules and regulations for the conduct of prisoners in his OR HER custody. ~~, which~~ THE rules and regulations shall be submitted to the circuit judge or judges in ~~said~~ THE county or circuit for approval, and upon the endorsement of ~~such~~ THE judge or judges the ~~said~~ rules and regulations shall be deemed to be effective. ~~as far as this act is concerned: Provided, That in counties~~ IN A COUNTY located in any judicial circuit having more than 1 circuit judge, where 1 of ~~said~~ THE judges shall be designated as presiding judge, the approval and endorsement of ~~said~~ THE rules and regulations by ~~said~~ THE presiding judge shall be sufficient to ~~place said~~ MAKE THE rules and regulations ~~in force and effect~~ EFFECTIVE.

(2) AS USED IN THIS ACT, "KEEPER" OR "KEEPER OF A JAIL" MEANS THE PERSON DESIGNATED BY CONTRACT AS BEING RESPONSIBLE FOR THE OPERATION OF A JAIL OPERATED BY A PRIVATE ENTITY UNDER A CONTRACT PURSUANT TO THE ALTERNATIVE JAILS ACT.

Sec. 2. (1) The sheriff OR KEEPER OF A JAIL shall cause to be kept a record of each and all infractions of the rules and regulations by prisoners, with the names of the persons so

1 offending and the date and character of each offense, and shall
 2 examine ~~such~~ THE records as often as may be necessary to carry
 3 out the purpose and intent of this act.

4 (2) Every prisoner whose record shows that ~~there are no~~ HE
 5 OR SHE HAS NOT COMMITTED ANY violations of the rules and regula-
 6 tions shall be entitled to a reduction from his or her sentence
 7 as follows: 1 day for each 6 days of the sentence. The sheriff
 8 OR PERSON DESIGNATED BY CONTRACT UNDER THE ALTERNATIVE JAILS ACT
 9 may, by general rule, subject to amendment from time to time,
 10 prescribe how much of the good time earned under this subsection
 11 a prisoner shall forfeit for any infraction of the general rules
 12 and regulations, and for any act of insubordination the sheriff
 13 OR PERSON DESIGNATED BY CONTRACT UNDER THE ALTERNATIVE JAILS ACT
 14 may by special order take away any portion of or the whole of the
 15 good time made by any prisoner up to the date of ~~such~~ THE
 16 offense. The sheriff OR PERSON DESIGNATED BY CONTRACT UNDER THE
 17 ALTERNATIVE JAILS ACT may as a reward for especially good con-
 18 duct, in case of insubordination, restore to any prisoner the
 19 whole or any portion of the good time lost because of any minor
 20 infraction of the rules.

21 Sec. 3. A copy of the rules and regulations ~~—~~ and good
 22 behavior allowances ~~for obedience thereto and compliance~~
 23 ~~therewith~~ shall be posted in ~~such~~ A place or places in the
 24 county jail as will enable all ~~persons imprisoned therein~~
 25 PRISONERS IN THE JAIL to become acquainted therewith. ~~—, and it~~
 26 ~~shall be the duty of each~~ A prisoner entitled to release with
 27 the credit for good behavior allowance ~~to~~ SHALL call to the

1 attention of the sheriff OR KEEPER or any of ~~his~~ THE SHERIFF'S
2 deputies OR KEEPER'S ASSISTANTS the fact that he OR SHE is enti-
3 tled to release. ~~—, and no~~ A sheriff OR KEEPER shall NOT be
4 CIVILLY liable ~~to respond~~ to any prisoner or former prisoner
5 ~~in damages~~ in any form of action, particularly false imprison-
6 ment, if any excess time up to the maximum of the original sen-
7 tence without good behavior allowance ~~be~~ IS served.

8 Section 2. This amendatory act shall not take effect unless
9 Senate Bill No. 216

10 of the 85th Legislature is enacted into law.