

SENATE BILL No. 614

October 17, 1989, Introduced by Senator WELBORN and referred to the Committee on Criminal Justice and Urban Affairs.

A bill to amend the title and sections 2, 3, 4, and 5 of Act No. 287 of the Public Acts of 1988, entitled "Special alternative incarceration act," being sections 798.12, 798.13, 798.14, and 798.15 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 2, 3, 4, and 5 of Act
2 No. 287 of the Public Acts of 1988, being sections 798.12,
3 798.13, 798.14, and 798.15 of the Michigan Compiled Laws, are
4 amended to read as follows:

TITLE

5
6 An act to establish special alternative incarceration units;
7 and to prescribe certain powers and duties of the ~~department of~~
8 ~~corrections~~ OFFICE OF COMMUNITY ALTERNATIVES and county
9 sheriffs.

1 Sec. 2. As used in this act:

2 (a) ~~"Department" means the department of corrections~~
3 "OFFICE" MEANS THE OFFICE OF COMMUNITY ALTERNATIVES CREATED IN
4 SECTION 3 OF THE COMMUNITY CORRECTIONS ACT, ACT NO. 511 OF THE
5 PUBLIC ACTS OF 1988, BEING SECTION 791.403 OF THE MICHIGAN
6 COMPILED LAWS.

7 (b) "Unit" means a special alternative incarceration unit.

8 Sec. 3. The ~~department~~ OFFICE shall establish special
9 alternative incarceration units for the purpose of housing and
10 training probationers eligible for special alternative incarceration
11 pursuant to section 3b of chapter XI of the code of criminal
12 procedure, Act No. 175 of the Public Acts of 1927, being section
13 771.3b of the Michigan Compiled Laws. A UNIT THAT WAS ESTAB-
14 LISHED BY THE DEPARTMENT OF CORRECTIONS BEFORE THE EFFECTIVE DATE
15 OF THE 1989 AMENDATORY ACT THAT AMENDED THIS SECTION SHALL CON-
16 TINUE UNDER THE AUTHORITY OF THE OFFICE. A probationer who is
17 placed in a unit by a court shall be transported by the county
18 sheriff directly to a unit and shall not be processed through the
19 ~~department's~~ DEPARTMENT OF CORRECTIONS' reception center for
20 prisoners. The ~~department~~ OFFICE may transfer a probationer
21 from 1 unit to another unit at the ~~department's~~ OFFICE'S dis-
22 cretion, during the probationer's incarceration in a unit.

23 Sec. 4. The units shall provide a program of physically
24 strenuous work and exercise, patterned after military basic
25 training, and other programming as determined by the ~~department~~
26 OFFICE and approved by the commission of corrections. The term

1 of any probationer's incarceration in a unit shall not exceed 90
2 days.

3 Sec. 5. At any time during a probationer's incarceration in
4 a unit, but not less than 5 days before the probationer's
5 expected date of release, the ~~department~~ OFFICE shall certify
6 to the sentencing court as to whether the probationer has satis-
7 factorily completed the course of training at the unit.

8 Section 2. This amendatory act shall not take effect unless
9 Senate Bill No. 613
10 of the 85th Legislature is enacted into law.