

SENATE BILL No. 15

January 11, 1989, Introduced by Senators WELBORN, DINGELL, N. SMITH
and ARTHURHULTZ and referred to the Committee on Criminal Justice,
Urban Affairs, and Economic Development.

A bill to amend Act No. 118 of the Public Acts of 1893,
entitled as amended

"An act to revise and consolidate the laws relative to state
prisons, to state houses of correction, and branches of state
prisons and reformatories, and the government and discipline
thereof and to repeal all acts inconsistent therewith,"

as amended, being sections 800.33 to 800.61 of the Michigan
Compiled Laws, by adding section 42.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 118 of the Public Acts of 1893, as
2 amended, being sections 800.33 to 800.61 of the Michigan Compiled
3 Laws, is amended by adding section 42 to read as follows:

4 SEC. 42. (1) A PRISONER IN A CORRECTIONAL FACILITY HAVING A
5 SECURITY DESIGNATION OF IV, V, OR VI SHALL NOT WEAR OR HAVE IN
6 HIS OR HER LIVING AREA ANY PERSONAL CLOTHING, EXCEPT THAT A
7 PRISONER IN A CORRECTIONAL FACILITY HAVING A SECURITY DESIGNATION

1 OF IV MAY WEAR PERSONAL CLOTHING FOR COURT APPEARANCES OR DURING
2 VISITS.

3 (2) A PRISONER IN A CORRECTIONAL FACILITY HAVING A SECURITY
4 DESIGNATION OF I, II, OR III MAY WEAR OR HAVE IN HIS OR HER
5 LIVING AREA PERSONAL CLOTHING, EXCEPT THAT THE PERSONAL CLOTHING
6 SHALL BE INCLUDED IN THE LIMITS PRESCRIBED IN SUBSECTION (3).

7 (3) THE AMOUNT OF PERSONAL PROPERTY A PRISONER MAY HAVE IN
8 HIS OR HER LIVING AREA, INCLUDING PERSONAL CLOTHING, SHALL NOT
9 EXCEED THE FOLLOWING LIMITS:

10 (A) IN A CORRECTIONAL FACILITY HAVING A SECURITY DESIGNATION
11 OF IV, V, OR VI, NOT MORE THAN THE AMOUNT THAT CAN BE CONTAINED
12 IN 1 DUFFEL BAG OR 1 FOOTLOCKER AS APPROVED BY THE DEPARTMENT OF
13 CORRECTIONS.

14 (B) IN A CORRECTIONAL FACILITY HAVING A SECURITY DESIGNATION
15 OF I, II, OR III, NOT MORE THAN THE AMOUNT THAT CAN BE CONTAINED
16 IN 1 DUFFEL BAG AND 1 FOOTLOCKER AS APPROVED BY THE DEPARTMENT OF
17 CORRECTIONS.

18 (4) THIS SECTION DOES NOT ALLOW A PRISONER TO POSSESS PER-
19 SONAL PROPERTY OF A TYPE OTHERWISE PROHIBITED BY THE DEPARTMENT
20 OF CORRECTIONS FOR ANY REASON.

21 (5) THE DEPARTMENT OF CORRECTIONS SHALL BEGIN PHASING IN THE
22 PROVISIONS OF THIS SECTION 30 DAYS AFTER THE EFFECTIVE DATE OF
23 THIS SECTION, AND SHALL FULLY IMPLEMENT THIS SECTION NOT LATER
24 THAN JANUARY 1, 1990.

25 (6) AS USED IN THIS SECTION:

26 (A) "PERSONAL CLOTHING" MEANS ANY CLOTHING THAT IS NOT A
27 UNIFORM OR OTHER STANDARDIZED CLOTHING ISSUED BY A CORRECTIONAL

1 FACILITY OR PURCHASED BY A PRISONER THROUGH AND WITH THE APPROVAL
2 OF A CORRECTIONAL FACILITY.

3 (B) "SECURITY DESIGNATION" MEANS 1 OF 6 LEVELS OF RESTRIC-
4 TIVENESS ENFORCED AT EACH CORRECTIONAL FACILITY, AS DETERMINED BY
5 THE DEPARTMENT OF CORRECTIONS, WITH SECURITY LEVEL I BEING THE
6 LEAST RESTRICTIVE AND SECURITY LEVEL VI BEING THE MOST
7 RESTRICTIVE.