

HOUSE BILL NO. 6363

September 07, 2022, Introduced by Rep. Yancey and referred to the Committee on Judiciary.

A bill to provide for certain communication services for prisoners, inmates, and juveniles; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. As used in this act:
- 2 (a) "Communication services" means telephone services and
- 3 email, video communication, or text messaging services.
- 4 (b) "County jail" means a facility that is operated by a

1 county for the physical detention and correction of individuals
2 charged with or convicted of criminal offenses and ordinance
3 violations, individuals found guilty of civil or criminal contempt,
4 and juveniles detained by court order.

5 (c) "County juvenile agency" means that term as defined in
6 section 1 of chapter XIIA of the probate code of 1939, 1939 PA 288,
7 MCL 712A.1.

8 (d) "Detention center" means a facility operated by the
9 department of health and human services or by a county juvenile
10 agency to house juveniles.

11 (e) "Inmate" means an individual who is physically detained in
12 a county jail.

13 (f) "Juvenile" means an individual who is within the court's
14 jurisdiction under section 2(a)(1) of chapter XIIA of the probate
15 code of 1939, 1939 PA 288, MCL 712A.2, and who is detained in a
16 facility operated by the department of health and human services or
17 by a county juvenile agency.

18 (g) "Prisoner" means an individual committed to or under the
19 jurisdiction of the department of corrections.

20 Sec. 2. (1) Subject to this section, the department of
21 corrections shall provide communication services to prisoners in a
22 correctional facility at no cost to the prisoner or to the person
23 receiving the communication from the prisoner.

24 (2) The department of corrections shall maintain not less than
25 1 operable telephone in a correctional facility for every 10
26 prisoners in that correctional facility and not less than 2
27 operable telephones in each housing unit of a correctional
28 facility.

29 (3) Except as provided in subsection (4), the department of

1 corrections shall allow a prisoner to use communication services
2 for not less than 120 minutes each day.

3 (4) The use of communication services by a prisoner must not
4 interfere with rehabilitative, educational, or vocational
5 programming, or with regular correctional facility operation.

6 Sec. 3. (1) Subject to this section, an inmate in a county
7 jail must be provided communication services at no cost to the
8 inmate or to the person receiving the communication from the
9 inmate.

10 (2) A county jail must have not less than 1 operable telephone
11 for every 10 inmates in that county jail and not less than 2
12 operable telephones in each housing unit of that county jail.

13 (3) Except as provided in subsection (4), an inmate must be
14 allowed the use of communication services for not less than 120
15 minutes each day.

16 (4) The use of communication services by an inmate must not
17 interfere with rehabilitative, educational, or vocational
18 programming, or with regular county jail operation.

19 Sec. 4. (1) Subject to this section, a juvenile must be
20 provided communication services at no cost to the juvenile or to
21 the person receiving the communication from the juvenile.

22 (2) The department of health and human services or the county
23 juvenile agency shall provide not less than 1 operable telephone
24 for every 10 juveniles in a detention center and not less than 2
25 operable telephones in each housing unit of a detention center.

26 (3) Except as provided in subsection (4), a juvenile must be
27 allowed the use of communication services for not less than 120
28 minutes each day.

29 (4) The use of communication services by a juvenile must not

1 interfere with rehabilitative, educational, or vocational
2 programming, or with regular detention center operation.

3 Sec. 5. A prisoner, inmate, or juvenile must not be denied a
4 visit from another individual solely because that prisoner, inmate,
5 or juvenile uses a communication service under this act.

6 Sec. 6. (1) The department of corrections shall not collect a
7 commission, surcharge, or other revenue on a communication service
8 received by a prisoner.

9 (2) A local unit of government shall not collect a commission,
10 surcharge, or other revenue on a communication service received by
11 an inmate or juvenile.