

HOUSE BILL No. 5499

December 13, 2005, Introduced by Rep. Kolb and referred to the Committee on Judiciary.

A bill to amend 1982 PA 325, entitled

"An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency,"

by amending section 1 (MCL 801.51).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Chief circuit judge" means any of the following:

3 (i) The circuit judge in a judicial circuit having only 1
4 circuit judge.

5 (ii) Except in the county of Wayne, the chief judge of the
6 circuit court in a judicial circuit having 2 or more circuit

1 judges.

2 (iii) In the county of Wayne, the executive chief judge of the
3 circuit court in the third judicial circuit. ~~and the recorder's~~
4 ~~court of the city of Detroit.~~

5 (b) "Chief district judge" means the chief district judge or
6 only district judge in a district court district.

7 ~~—(c) "Commission of corrections" means the state commission of~~
8 ~~corrections.~~

9 (C) ~~—(d)—~~ "County jail" means a facility operated by a county
10 for the physical detention and correction of persons charged with
11 or convicted of criminal offenses and ordinance violations, persons
12 found guilty of civil or criminal contempt, and juveniles detained
13 by court order. ~~, or a facility which houses prisoners pursuant to~~
14 ~~an agreement authorized under Act No. 164 of the Public Acts of~~
15 ~~1861, as amended, being sections 802.1 to 802.21 of the Michigan~~
16 ~~Compiled Laws.~~

17 (D) ~~—(e)—~~ "Department of corrections" means the state
18 department of corrections.

19 (E) ~~—(f)—~~ "Prisoner" means a person who is currently being
20 physically detained in a county jail.

21 (F) ~~—(g)—~~ "Rated design capacity" means the actual available
22 bed space of the general population of a county jail as determined
23 by the department of ~~corrections~~ **LABOR AND ECONOMIC GROWTH**,
24 subject to applicable rules including variances to those rules
25 granted by the ~~commission of corrections~~ **DEPARTMENT OF LABOR AND**
26 **ECONOMIC GROWTH.**