

# Legislative Analysis

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## DEPARTMENT OF CORRECTIONS: REMOVE PROHIBITION ON HIRING FELONS

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4065 as introduced**  
**Sponsor: Rep. Dave Pagel**  
**Committee: Law and Justice**  
**Complete to 2-16-17**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

Legislation enacted in 1996 prohibited an individual with a felony record, or facing felony charges, from being hired by or appointed to a position with the Department of Corrections. Prior to this change, a person with a previous felony record could be hired after undergoing a background check and with approval by the director of the DOC.

House Bill 4065 keeps the current prohibition in Section 5a of the Corrections Code, as described above, but adds "except as otherwise provided in this section." Then the bill adds a provision to that section of the Code to require the DOC to establish a policy that will allow an individual who has been convicted of a felony to be employed or appointed to a position within the DOC if the individual's employment or appointment will not negatively impact public safety or the operation of the department.

The policy must require that the applicant undergo an extensive background investigation and receive the written approval of the director of the DOC before being employed by or appointed to a position in the department. An individual employed or appointed under the bill's provisions could not be dismissed from that employment or appointment solely due to a felony conviction disclosed to the department prior to the employment or appointment.

The bill takes effect 90 days after enactment.

MCL 791.205a

### FISCAL IMPACT:

House Bill 4065 would have no fiscal impact on the state or on local units of government.

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