

CORRECTIONS CODE OF 1953 (EXCERPT)
Act 232 of 1953
Chapter VI
MISCELLANEOUS.

791.281 Powers and duties transferred; department abolished; rules and regulations.

Sec. 81.

The powers and duties vested by law in the state department of corrections created under the provisions of Act No. 4 of the Public Acts of the Second Extra Session of 1947, as amended, being sections 791.1 to 791.123, inclusive, of the Compiled Laws of 1948, are hereby transferred to and vested in the state department of corrections herein created. Immediately on the taking effect of this act the state department of corrections created under said Act No. 4 of the Public Acts of the Second Extra Session of 1947, as amended, shall be abolished, and the state department of corrections herein created shall be the successor to all the powers, duties and responsibilities thereof, and whenever reference is made in any law of the state to the department of corrections reference shall be deemed to be intended to be made to the state department of corrections herein created. Any hearing or other proceeding pending before the state department of corrections created under Act No. 4 of the Public Acts of the Second Extra Session of 1947, as amended, shall not be abated but shall be deemed to be transferred to the department created under the provisions of this act, and shall be conducted and determined thereby in accordance with the provisions of the law governing such hearing or proceeding. All records, files and other papers belonging to the state department of corrections created under Act No. 4 of the Public Acts of the Second Extra Session of 1947, as amended, shall be turned over to the state department of corrections created under this act and shall be continued as a part of the records and files thereof. All orders and rules and regulations shall continue in effect at the pleasure of the department created under the provisions of this act, acting within its lawful authority. All of the powers and duties vested in the state department of corrections created under Act No. 4 of the Public Acts of the Second Extra Session of 1947, as amended, shall be transferred to and vested in the department of corrections created under this act.

History: 1953, Act 232, Eff. Oct. 2, 1953

Popular Name: Department of Corrections Act

791.282 Transfers of appropriations.

Sec. 82.

The provisions of any other law to the contrary notwithstanding, for the fiscal year ending June 30, 1954, the commission may, with the approval of the state administrative board, make such transfers of appropriations as are necessary to carry out the intent of this act.

History: 1953, Act 232, Eff. Oct. 2, 1953

Popular Name: Department of Corrections Act

791.283 Reversed, vacated, or overturned conviction or sentence; prisoner discharged from custody; services and documents to be provided to prisoner; assignment of staff; reinstatement or resentencing; repayment for services.

Sec. 83.

(1) The department shall provide all of the following to a prisoner who is discharged from custody prior to his or her maximum discharge date without being granted parole because his or her conviction or sentence has been reversed, vacated, or overturned:

(a) Reentry services, excluding reentry housing, consistent with the services received by parolees in this state for

a period not to exceed 2 years following the date of his or her discharge.

(b) Reentry housing, consistent with the transitional housing provided to parolees in this state for a period not to exceed 1 year following the date of his or her discharge.

(c) Vital documents, including, but not limited to, the prisoner's birth certificate.

(2) The department shall assign staff to ensure that a prisoner eligible for the services and documents described in subsection (1) is provided with those services and documents in a timely manner.

(3) A prisoner who received the reentry services described in subsection (1) and whose conviction is subsequently reinstated or who is resentenced and returned to the custody of the department for the same conviction that was previously reversed, vacated, or overturned entitling him or her to the services described in subsection (1) shall repay the department for all reentry services he or she received under subsection (1). The amount owed by a prisoner under this subsection shall be determined by the department.

History: 1953, Act 232, Eff. Oct. 2, 1953 ;-- Am. 2016, Act 344, Eff. Mar. 29, 2017

Popular Name: Department of Corrections Act

791.284 Supervised individuals who have absconded from supervision and whom law enforcement agency is actively seeking; list; definitions.

Sec. 84.

(1) On a quarterly basis, the department shall provide to the department of health and human services a list of supervised individuals who have absconded from supervision and whom a law enforcement agency or the department is actively seeking.

(2) As used in this section:

(a) "Abscond" means the intentional failure of an individual supervised under this act to report to his or her supervising agent and to advise his or her supervising agent of his or her whereabouts.

(b) "Actively seeking" means either of the following:

(i) A law enforcement agency or the department intends to enforce an outstanding felony warrant for a supervised individual or arrest a supervised individual for a parole violation or for absconding from supervision within the following 30 days.

(ii) The supervised individual has an active warrant for absconding.

(c) "Supervised individual" means an individual who has been released from prison on parole.

History: Add. 2017, Act 12, Eff. June 29, 2017

Popular Name: Department of Corrections Act

791.285 Lifetime electronic monitoring program; establishment; implementation; manner of wearing or carrying; reimbursement; "electronic monitoring" defined.

Sec. 85.

(1) The lifetime electronic monitoring program is established in the department. The lifetime electronic monitoring program must implement a system of monitoring individuals released from parole, prison, or both parole and prison who are sentenced by the court to lifetime electronic monitoring. The lifetime electronic monitoring program must accomplish all of the following:

(a) By electronic means, track the movement and location of each individual from the time the individual is released on parole or from prison until the time of the individual's death.

(b) Develop methods by which the individual's movement and location may be determined, both in real time and recorded time, and recorded information retrieved upon request by the court or a law enforcement agency.

(2) An individual who is sentenced to lifetime electronic monitoring shall wear or otherwise carry an electronic monitoring device as determined by the department under the lifetime electronic monitoring program in the manner prescribed by that program and shall reimburse the department or its agent as provided under section 36a while the individual is still on parole, and at the rate of \$60.00 per month after the individual is discharged from parole but is still subject to electronic monitoring.

(3) As used in this section, "electronic monitoring" means a device by which, through global positioning system satellite or other means, an individual's movement and location are tracked and recorded.

History: Add. 2006, Act 172, Eff. Aug. 28, 2006 ;-- Am. 2019, Act 164, Eff. Mar. 19, 2020

Popular Name: Department of Corrections Act