

## SUBSTITUTE FOR

SENATE BILL NO. 197

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2014; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

**1** PART 1

## 2 LINE-ITEM APPROPRIATIONS

3       Sec. 101. There is appropriated for the department of  
4       corrections for the fiscal year ending September 30, 2014, from the  
5       following funds:

6 DEPARTMENT OF CORRECTIONS

## 7 APPROPRIATION SUMMARY

|   |                                   |          |
|---|-----------------------------------|----------|
| 8 | Average Michigan population ..... | 43,953.0 |
|---|-----------------------------------|----------|

|   |                                               |      |
|---|-----------------------------------------------|------|
| 9 | Full-time equated unclassified positions..... | 16.0 |
|---|-----------------------------------------------|------|

|    |                                                      |                 |                   |
|----|------------------------------------------------------|-----------------|-------------------|
| 1  | Full-time equated classified positions.....          | 14,480.5        |                   |
| 2  | GROSS APPROPRIATION.....                             |                 | \$ 2,020,377,600  |
| 3  | Interdepartmental grant revenues:                    |                 |                   |
| 4  | Total interdepartmental grants and intradepartmental |                 |                   |
| 5  | transfers .....                                      |                 | 1,109,600         |
| 6  | ADJUSTED GROSS APPROPRIATION.....                    |                 | \$ 2,019,268,000  |
| 7  | Federal revenues:                                    |                 |                   |
| 8  | Total federal revenues.....                          |                 | 8,852,500         |
| 9  | Special revenue funds:                               |                 |                   |
| 10 | Total local revenues.....                            |                 | 266,200           |
| 11 | Total private revenues.....                          |                 | 0                 |
| 12 | Total other state restricted revenues.....           |                 | 53,348,500        |
| 13 | State general fund/general purpose.....              |                 | \$ 1,956,800,800  |
| 14 | State general fund/general purpose schedule:         |                 |                   |
| 15 | Ongoing state general fund/general                   |                 |                   |
| 16 | purpose .....                                        | \$1,951,381,300 |                   |
| 17 | One-time state general fund/general                  |                 |                   |
| 18 | purpose .....                                        | \$5,419,500     |                   |
| 19 | <b>Sec. 102. EXECUTIVE</b>                           |                 |                   |
| 20 | Full-time equated unclassified positions.....        | 16.0            |                   |
| 21 | Full-time equated classified positions.....          | 3.0             |                   |
| 22 | Unclassified positions--16.0 FTE positions.....      |                 | \$ 1,667,100      |
| 23 | Executive direction--3.0 FTE positions.....          |                 | 1,741,700         |
| 24 | Legacy - health care.....                            |                 | 158,205,400       |
| 25 | Legacy - pension.....                                |                 | 179,789,700       |
| 26 | Neal, et al. settlement agreement.....               |                 | <u>20,000,000</u> |
| 27 | GROSS APPROPRIATION.....                             |                 | \$ 361,403,900    |

|    |                                                          |    |                  |
|----|----------------------------------------------------------|----|------------------|
| 1  | Appropriated from:                                       |    |                  |
| 2  | State general fund/general purpose .....                 | \$ | 361,403,900      |
| 3  | <b>Sec. 103. PRISONER RE-ENTRY AND COMMUNITY SUPPORT</b> |    |                  |
| 4  | Prisoner re-entry local service providers .....          | \$ | 14,211,500       |
| 5  | Prisoner re-entry MDOC programs .....                    |    | 12,929,200       |
| 6  | Prisoner re-entry federal grants .....                   |    | 1,035,000        |
| 7  | Public safety initiative .....                           |    | <u>2,250,000</u> |
| 8  | GROSS APPROPRIATION .....                                | \$ | 30,425,700       |
| 9  | Appropriated from:                                       |    |                  |
| 10 | Federal revenues:                                        |    |                  |
| 11 | DOJ, prisoner reintegration .....                        |    | 1,035,000        |
| 12 | State general fund/general purpose .....                 | \$ | 29,390,700       |
| 13 | <b>Sec. 104. OPERATIONS SUPPORT ADMINISTRATION</b>       |    |                  |
| 14 | Full-time equated classified positions .....             |    | 196.0            |
| 15 | Operations support administration--108.1 FTE positions   | \$ | 8,507,500        |
| 16 | New custody staff training .....                         |    | 5,378,300        |
| 17 | Compensatory buyout and union leave bank .....           |    | 100              |
| 18 | Worker's compensation .....                              |    | 19,439,100       |
| 19 | Bureau of fiscal management--65.9 FTE positions .....    |    | 6,825,700        |
| 20 | Office of legal services--15.0 FTE positions .....       |    | 1,844,000        |
| 21 | Internal affairs--7.0 FTE positions .....                |    | 1,047,600        |
| 22 | Rent .....                                               |    | 2,095,200        |
| 23 | Equipment and special maintenance .....                  |    | 6,725,500        |
| 24 | Administrative hearings officers .....                   |    | 3,243,100        |
| 25 | Judicial data warehouse user fees .....                  |    | 50,000           |
| 26 | Sheriffs' coordinating and training office .....         |    | 500,000          |
| 27 | Prosecutorial and detainer expenses .....                |    | 4,551,000        |

|    |                                                        |         |                   |
|----|--------------------------------------------------------|---------|-------------------|
| 1  | County jail reimbursement program.....                 |         | <u>15,072,100</u> |
| 2  | GROSS APPROPRIATION.....                               | \$      | 75,279,200        |
| 3  | Appropriated from:                                     |         |                   |
| 4  | Interdepartmental grant revenues:                      |         |                   |
| 5  | IDG-MDSP, Michigan justice training fund.....          |         | 337,600           |
| 6  | Special revenue funds:                                 |         |                   |
| 7  | Jail reimbursement program fund.....                   |         | 5,900,000         |
| 8  | Special equipment fund.....                            |         | 5,800,000         |
| 9  | Local corrections officer training fund.....           |         | 500,000           |
| 10 | Correctional industries revolving fund.....            |         | 590,000           |
| 11 | State general fund/general purpose.....                | \$      | 62,151,600        |
| 12 | <b>Sec. 105. FIELD OPERATIONS ADMINISTRATION</b>       |         |                   |
| 13 | Full-time equated classified positions.....            | 2,163.4 |                   |
| 14 | Field operations--1,821.9 FTE positions.....           | \$      | 156,385,500       |
| 15 | Parole board operations--41.0 FTE positions.....       |         | 3,871,400         |
| 16 | Parole/probation services.....                         |         | 2,243,500         |
| 17 | Community re-entry centers--215.5 FTE positions.....   |         | 27,237,400        |
| 18 | Electronic monitoring center--56.0 FTE positions.....  |         | 12,040,300        |
| 19 | Community corrections administration--10.0 FTE         |         |                   |
| 20 | positions .....                                        |         | 1,023,900         |
| 21 | Substance abuse testing and treatment services--19.0   |         |                   |
| 22 | FTE positions .....                                    |         | 21,923,100        |
| 23 | Residential services.....                              |         | 15,475,500        |
| 24 | Community corrections comprehensive plans and services |         | 12,158,000        |
| 25 | Felony drunk driver jail reduction and community       |         |                   |
| 26 | treatment program .....                                |         | <u>1,440,100</u>  |
| 27 | GROSS APPROPRIATION.....                               | \$      | 253,798,700       |

|    |                                                         |                |
|----|---------------------------------------------------------|----------------|
| 1  | Appropriated from:                                      |                |
| 2  | Federal revenues:                                       |                |
| 3  | DOJ, office of justice programs, RSAT.....              | 575,700        |
| 4  | Special revenue funds:                                  |                |
| 5  | Local - community tether program reimbursement.....     | 266,200        |
| 6  | Re-entry center offender reimbursements.....            | 23,800         |
| 7  | Parole and probation oversight fees.....                | 6,192,100      |
| 8  | Parole and probation oversight fees set-aside.....      | 2,664,800      |
| 9  | Tether program, participant contributions.....          | 2,272,900      |
| 10 | State general fund/general purpose.....                 | \$ 241,803,200 |
| 11 | <b>Sec. 106. CORRECTIONAL FACILITIES ADMINISTRATION</b> |                |
| 12 | Full-time equated classified positions.....             | 1,056.0        |
| 13 | Correctional facilities administration--21.5 FTE        |                |
| 14 | positions .....                                         | \$ 6,312,700   |
| 15 | Prison food service--341.0 FTE positions.....           | 57,392,300     |
| 16 | Transportation--211.0 FTE positions.....                | 14,007,500     |
| 17 | Central records--52.5 FTE positions.....                | 3,508,000      |
| 18 | Inmate legal services.....                              | 715,900        |
| 19 | Loans to parolees.....                                  | 179,400        |
| 20 | Housing inmates in federal institutions.....            | 993,800        |
| 21 | Prison store operations--63.0 FTE positions.....        | 4,119,500      |
| 22 | Prison industries operations--123.0 FTE positions....   | 12,508,000     |
| 23 | Federal school lunch program.....                       | 812,800        |
| 24 | Leased beds and alternatives to leased beds.....        | 1,000,000      |
| 25 | Public works programs.....                              | 1,000,000      |
| 26 | Cost-effective housing initiative.....                  | 100            |
| 27 | Inmate housing fund.....                                | 100            |

|    |                                                      |                   |
|----|------------------------------------------------------|-------------------|
| 1  | Education program--244.0 FTE positions .....         | <u>27,796,700</u> |
| 2  | GROSS APPROPRIATION.....                             | \$ 130,346,800    |
| 3  | Appropriated from:                                   |                   |
| 4  | Interdepartmental grant revenues:                    |                   |
| 5  | IDG-MDCH, forensic center food service .....         | 552,300           |
| 6  | IDG-MDHS, Maxey/Woodland Center food service .....   | 219,700           |
| 7  | Federal revenues:                                    |                   |
| 8  | DAG-FNS, national school lunch .....                 | 812,800           |
| 9  | DED-OESE, title 1 .....                              | 552,500           |
| 10 | DED-OVAE, adult education .....                      | 943,800           |
| 11 | DED-OSERS .....                                      | 114,100           |
| 12 | DED, vocational education equipment .....            | 294,500           |
| 13 | DED, youthful offender/Specter grant .....           | 1,365,400         |
| 14 | DOJ-BOP, federal prisoner reimbursement .....        | 411,000           |
| 15 | DOJ-OJP, serious and violent offender reintegration  |                   |
| 16 | initiative .....                                     | 10,900            |
| 17 | DOJ, prison rape elimination act grant .....         | 654,600           |
| 18 | SSA-SSI, incentive payment .....                     | 265,900           |
| 19 | Federal education revenues .....                     | 156,400           |
| 20 | Special revenue funds:                               |                   |
| 21 | Correctional industries revolving fund .....         | 15,379,000        |
| 22 | Public works user fees .....                         | 1,000,000         |
| 23 | Resident stores .....                                | 5,590,000         |
| 24 | State general fund/general purpose .....             | \$ 102,023,900    |
| 25 | <b>Sec. 107. HEALTH CARE</b>                         |                   |
| 26 | Full-time equated classified positions .....         | 1,519.3           |
| 27 | Health care administration--15.0 FTE positions ..... | \$ 2,212,900      |

|    |                                                          |                    |
|----|----------------------------------------------------------|--------------------|
| 1  | Prisoner health care services .....                      | 91,953,100         |
| 2  | Vaccination program .....                                | 691,200            |
| 3  | Interdepartmental grant to human services,               |                    |
| 4  | eligibility specialists .....                            | 100,000            |
| 5  | Mental health services and support--363.0 FTE            |                    |
| 6  | positions .....                                          | 49,722,000         |
| 7  | Clinical complexes--1,141.3 FTE positions .....          | <u>116,504,500</u> |
| 8  | GROSS APPROPRIATION .....                                | \$ 261,183,700     |
| 9  | Appropriated from:                                       |                    |
| 10 | Special revenue funds:                                   |                    |
| 11 | Prisoner health care copayments .....                    | 285,700            |
| 12 | State general fund/general purpose .....                 | \$ 260,898,000     |
| 13 | <b>Sec. 108. NORTHERN REGION CORRECTIONAL FACILITIES</b> |                    |
| 14 | Average population .....                                 | 20,731.0           |
| 15 | Full-time equated classified positions .....             | 4,239.9            |
| 16 | Alger correctional facility - Munising--261.2 FTE        |                    |
| 17 | positions .....                                          | \$ 25,000,500      |
| 18 | Average population .....                                 | 889.0              |
| 19 | Baraga correctional facility - Baraga--295.8 FTE         |                    |
| 20 | positions .....                                          | 27,240,000         |
| 21 | Average population .....                                 | 884.0              |
| 22 | Earnest C. Brooks correctional facility -                |                    |
| 23 | Muskegon--443.7 FTE positions .....                      | 39,737,300         |
| 24 | Average population .....                                 | 2,512.0            |
| 25 | Chippewa correctional facility - Kincheloe--436.3        |                    |
| 26 | FTE positions .....                                      | 38,353,400         |
| 27 | Average population .....                                 | 2,282.0            |

|    |                                                      |            |
|----|------------------------------------------------------|------------|
| 1  | Kinross correctional facility - Kincheloe--323.8 FTE |            |
| 2  | positions .....                                      | 29,102,500 |
| 3  | Average population .....                             | 1,799.0    |
| 4  | Marquette branch prison - Marquette--308.4 FTE       |            |
| 5  | positions .....                                      | 30,754,300 |
| 6  | Average population .....                             | 1,201.0    |
| 7  | Muskegon correctional facility - Muskegon--208.4 FTE |            |
| 8  | positions .....                                      | 18,124,900 |
| 9  | Average population .....                             | 1,338.0    |
| 10 | Newberry correctional facility - Newberry--207.8 FTE |            |
| 11 | positions .....                                      | 19,393,700 |
| 12 | Average population .....                             | 978.0      |
| 13 | Oaks correctional facility - Eastlake--295.6 FTE     |            |
| 14 | positions .....                                      | 27,723,600 |
| 15 | Average population .....                             | 1,156.0    |
| 16 | Ojibway correctional facility - Marenisco--201.1 FTE |            |
| 17 | positions .....                                      | 17,757,300 |
| 18 | Average population .....                             | 1,090.0    |
| 19 | Central Michigan correctional facility - St.         |            |
| 20 | Louis--394.6 FTE positions .....                     | 35,906,400 |
| 21 | Average population .....                             | 2,554.0    |
| 22 | Pugsley correctional facility - Kingsley--210.9 FTE  |            |
| 23 | positions .....                                      | 18,805,700 |
| 24 | Average population .....                             | 1,342.0    |
| 25 | Saginaw correctional facility - Freeland--287.4 FTE  |            |
| 26 | positions .....                                      | 26,073,900 |
| 27 | Average population .....                             | 1,480.0    |

|    |                                                          |                  |
|----|----------------------------------------------------------|------------------|
| 1  | St. Louis correctional facility - St. Louis--310.9       |                  |
| 2  | FTE positions .....                                      | 29,599,100       |
| 3  | Average population .....                                 | 1,226.0          |
| 4  | Northern region administration and support--54.0 FTE     |                  |
| 5  | positions .....                                          | <u>3,655,700</u> |
| 6  | GROSS APPROPRIATION.....                                 | \$ 387,228,300   |
| 7  | Appropriated from:                                       |                  |
| 8  | State general fund/general purpose .....                 | \$ 387,228,300   |
| 9  | <b>Sec. 109. SOUTHERN REGION CORRECTIONAL FACILITIES</b> |                  |
| 10 | Average population .....                                 | 23,222.0         |
| 11 | Full-time equated classified positions.....              | 5,302.9          |
| 12 | Bellamy Creek correctional facility - Ionia--391.4       |                  |
| 13 | FTE positions .....                                      | \$ 35,030,200    |
| 14 | 1,850.0 positions in above line.....                     | 391.4            |
| 15 | Average population .....                                 | 1,850.0          |
| 16 | Carson City correctional facility - Carson               |                  |
| 17 | City--427.9 FTE positions .....                          | 37,446,700       |
| 18 | 2,440.0 positions in above line.....                     | 427.9            |
| 19 | Average population .....                                 | 2,440.0          |
| 20 | Cooper street correctional facility - Jackson--260.1     |                  |
| 21 | FTE positions .....                                      | 22,587,600       |
| 22 | Average population .....                                 | 1,799.0          |
| 23 | G. Robert Cotton correctional facility -                 |                  |
| 24 | Jackson--392.9 FTE positions .....                       | 32,966,400       |
| 25 | Average population .....                                 | 1,841.0          |
| 26 | Charles E. Egeler correctional facility -                |                  |
| 27 | Jackson--372.7 FTE positions .....                       | 37,816,500       |

|    |                                                        |         |            |
|----|--------------------------------------------------------|---------|------------|
| 1  | Average population .....                               | 1,376.0 |            |
| 2  | Richard A. Handlon correctional facility -             |         |            |
| 3  | Ionia--246.4 FTE positions .....                       |         | 22,498,700 |
| 4  | 1,373.0 positions in above line.....                   | 246.4   |            |
| 5  | Average population .....                               | 1,373.0 |            |
| 6  | Gus Harrison correctional facility - Adrian--446.1     |         |            |
| 7  | FTE positions .....                                    |         | 38,949,900 |
| 8  | Average population .....                               | 2,342.0 |            |
| 9  | Womens Huron Valley correctional complex -             |         |            |
| 10 | Ypsilanti--521.0 FTE positions.....                    |         | 48,881,900 |
| 11 | Average population .....                               | 1,872.0 |            |
| 12 | Ionia correctional facility - Ionia--293.8 FTE         |         |            |
| 13 | positions .....                                        |         | 26,669,100 |
| 14 | Average population .....                               | 654.0   |            |
| 15 | Lakeland correctional facility - Coldwater--269.9      |         |            |
| 16 | FTE positions .....                                    |         | 25,378,100 |
| 17 | Average population .....                               | 1,336.0 |            |
| 18 | Macomb correctional facility - New Haven--295.0 FTE    |         |            |
| 19 | positions .....                                        |         | 26,857,300 |
| 20 | Average population .....                               | 1,376.0 |            |
| 21 | Maxey/Woodland Center correctional facility -          |         |            |
| 22 | Whitmore Lake--264.4 FTE positions.....                |         | 18,401,800 |
| 23 | Average population .....                               | 328.0   |            |
| 24 | Michigan reformatory - Ionia--310.6 FTE positions .... |         | 29,576,300 |
| 25 | Average population .....                               | 1,338.0 |            |
| 26 | Parnall correctional facility - Jackson--259.5 FTE     |         |            |
| 27 | positions .....                                        |         | 22,959,500 |

|    |                                                     |         |                   |
|----|-----------------------------------------------------|---------|-------------------|
| 1  | Average population .....                            | 1,678.0 |                   |
| 2  | Thumb correctional facility - Lapeer--286.2 FTE     |         |                   |
| 3  | positions .....                                     |         | 26,232,000        |
| 4  | Average population .....                            | 1,219.0 |                   |
| 5  | Special alternative incarceration program - Cassidy |         |                   |
| 6  | Lake--121.0 FTE positions .....                     |         | 9,667,300         |
| 7  | Average population .....                            | 400.0   |                   |
| 8  | Southern region administration and support--144.0   |         |                   |
| 9  | FTE positions .....                                 |         | <u>21,951,800</u> |
| 10 | GROSS APPROPRIATION.....                            | \$      | 483,871,100       |
| 11 | Appropriated from:                                  |         |                   |
| 12 | Federal revenues:                                   |         |                   |
| 13 | Federal revenues and reimbursements.....            |         | 1,659,900         |
| 14 | Special revenue funds:                              |         |                   |
| 15 | State restricted revenues and reimbursements.....   |         | 283,900           |
| 16 | State general fund/general purpose.....             | \$      | 481,927,300       |
| 17 | <b>Sec. 110. INFORMATION TECHNOLOGY</b>             |         |                   |
| 18 | Information technology services and projects.....   | \$      | <u>25,420,700</u> |
| 19 | GROSS APPROPRIATION.....                            | \$      | 25,420,700        |
| 20 | Appropriated from:                                  |         |                   |
| 21 | Special revenue funds:                              |         |                   |
| 22 | Correctional industries revolving fund.....         |         | 176,000           |
| 23 | Parole and probation oversight fees set-aside.....  |         | 690,300           |
| 24 | State general fund/general purpose.....             | \$      | 24,554,400        |
| 25 | <b>Sec. 111. CAPITAL OUTLAY</b>                     |         |                   |
| 26 | Capital outlay.....                                 | \$      | <u>6,000,000</u>  |
| 27 | GROSS APPROPRIATION.....                            | \$      | 6,000,000         |

1 Appropriated from:

2 Special revenue funds:

3 Special equipment fund..... \$ 6,000,000

4 State general fund/general purpose..... \$ 0

5 **Sec. 113. ONE-TIME BASIS ONLY APPROPRIATIONS**

6 New custody staff training (one-time)..... \$ 5,419,500

7 GROSS APPROPRIATION..... \$ 5,419,500

8 Appropriated from:

9 State general fund/general purpose..... \$ 5,419,500

10 PART 2

11 PROVISIONS CONCERNING APPROPRIATIONS

12 FOR FISCAL YEAR 2013-2014

13 **GENERAL SECTIONS**

14 Sec. 201. Pursuant to section 30 of article IX of the state  
 15 constitution of 1963, total state spending from state resources  
 16 under part 1 for fiscal year 2013-2014 is \$2,010,149,300.00 and  
 17 state spending from state resources to be paid to local units of  
 18 government for fiscal year 2013-2014 is \$88,359,700.00. The  
 19 itemized statement below identifies appropriations from which  
 20 spending to local units of government will occur:

21 DEPARTMENT OF CORRECTIONS

22 Field operations - assumption of county

23 probation staff ..... \$ 57,036,100

24 Community corrections comprehensive plans

25 and services ..... 12,158,000

|   |                                                  |                  |
|---|--------------------------------------------------|------------------|
| 1 | Community corrections residential services ..... | 15,475,500       |
| 2 | Felony drunk driver jail reduction and           |                  |
| 3 | community treatment program .....                | 1,440,100        |
| 4 | Public safety initiative.....                    | <u>2,250,000</u> |
| 5 | TOTAL.....                                       | \$ 88,359,700    |

6       Sec. 202. The appropriations authorized under this act are  
7 subject to the management and budget act, 1984 PA 431, MCL 18.1101  
8 to 18.1594.

9       Sec. 203. As used in this act:

10       (a) "Administrative segregation" means confinement for  
11 maintenance of order or discipline to a cell or room apart from  
12 accommodations provided for inmates who are participating in  
13 programs of the facility.

14       (b) "Cost per prisoner" means the sum total of the funds  
15 appropriated under part 1 for the following, divided by the  
16 projected prisoner population in fiscal year 2013-2014:

- 17       (i) Northern and southern region correctional facilities.
- 18       (ii) Northern and southern region administration and support.
- 19       (iii) Northern and southern region clinical complexes.
- 20       (iv) Prisoner health care services.
- 21       (v) Health care administration.
- 22       (vi) Vaccination program.
- 23       (vii) Prison food service and federal school lunch program.
- 24       (viii) Transportation.
- 25       (ix) Inmate legal services.
- 26       (x) Correctional facilities administration.
- 27       (xi) Central records.

1 (xii) DOJ psychiatric plan.

2 (xiii) Worker's compensation.

3 (xiv) New custody staff training.

4 (xv) Prison store operations.

5 (xvi) Education services and federal education grants.

6 (xvii) Education program.

7 (c) "DAG" means the United States department of agriculture.

8 (d) "DAG-FNS" means the DAG food and nutrition service.

9 (e) "DED" means the United States department of education.

10 (f) "DED-OESE" means the DED office of elementary and  
11 secondary education.

12 (g) "DED-OSERS" means the DED office of special education and  
13 rehabilitative services.

14 (h) "DED-OVAE" means the DED office of vocational and adult  
15 education.

16 (i) "Department" or "MDOC" means the Michigan department of  
17 corrections.

18 (j) "DOJ" means the United States department of justice.

19 (k) "DOJ-BOP" means the DOJ bureau of prisons.

20 (l) "DOJ-OJP" means the DOJ office of justice programs.

21 (m) "Evidence-based practices" or "EBP" means a decision-  
22 making process that integrates the best available research,  
23 clinician expertise, and client characteristics.

24 (n) "FTE" means full-time equated.

25 (o) "GED" means general educational development certificate.

26 (p) "Goal" means the intended or projected result of a  
27 comprehensive corrections plan or community corrections program to

1 reduce repeat offending, criminogenic and high-risk behaviors,  
2 prison commitment rates, to reduce the length of stay in a jail, or  
3 to improve the utilization of a jail.

4 (q) "GPS" means global positioning system.

5 (r) "HIV" means human immunodeficiency virus.

6 (s) "IDG" means interdepartmental grant.

7 (t) "IDT" means intradepartmental transfer.

8 (u) "Jail" means a facility operated by a local unit of  
9 government for the physical detention and correction of persons  
10 charged with or convicted of criminal offenses.

11 (v) "MDCH" means the Michigan department of community health.

12 (w) "Medicaid benefit" means a benefit paid or payable under a  
13 program for medical assistance under the social welfare act, 1939  
14 PA 280, MCL 400.1 to 400.119b.

15 (x) "MDSP" means the Michigan department of state police.

16 (y) "MPRI" means the Michigan prisoner reentry initiative.

17 (z) "Objective risk and needs assessment" means an evaluation  
18 of an offender's criminal history; the offender's noncriminal  
19 history; and any other factors relevant to the risk the offender  
20 would present to the public safety, including, but not limited to,  
21 having demonstrated a pattern of violent behavior, and a criminal  
22 record that indicates a pattern of violent offenses.

23 (aa) "Offender eligibility criteria" means particular criminal  
24 violations, state felony sentencing guidelines descriptors, and  
25 offender characteristics developed by advisory boards and approved  
26 by local units of government that identify the offenders suitable  
27 for community corrections programs funded through the office of

1 community corrections.

2 (bb) "Offender success" means that an offender has done all of  
3 the following:

4 (i) Regularly reported to his or her assigned field agent.

5 (ii) Is participating in or has successfully completed all  
6 required substance abuse, mental health, sex offender, or other  
7 treatment as approved by the field agent.

8 (iii) Not sent or returned to prison for the conviction of a new  
9 crime or the revocation of probation or parole.

10 (iv) Not been sentenced to a jail term for a new criminal  
11 offense.

12 (v) Obtained employment, has enrolled or participated in a  
13 program of education or job training, or has investigated all bona  
14 fide employment opportunities.

15 (vi) Obtained housing.

16 (cc) "Offender target population" means felons or  
17 misdemeanants who would likely be sentenced to imprisonment in a  
18 state correctional facility or jail, who would not likely increase  
19 the risk to the public safety based on an objective risk and needs  
20 assessment that indicates that the offender can be safely treated  
21 and supervised in the community.

22 (dd) "Offender who would likely be sentenced to imprisonment"  
23 means either of the following:

24 (i) A felon or misdemeanor who receives a sentencing  
25 disposition that appears to be in place of incarceration in a state  
26 correctional facility or jail, according to historical local  
27 sentencing patterns.

1       (ii) A currently incarcerated felon or misdemeanor who is  
2 granted early release from incarceration to a community corrections  
3 program or who is granted early release from incarceration as a  
4 result of a community corrections program.

5       (ee) "Programmatic success" means that the department program  
6 or initiative has ensured that the offender has accomplished all of  
7 the following:

8       (i) Obtained employment, has enrolled or participated in a  
9 program of education or job training, or has investigated all bona  
10 fide employment opportunities.

11       (ii) Obtained housing.

12       (iii) Obtained a state identification card.

13       (ff) "Recidivism" means any of the following:

14       (i) The arrest and conviction of a supervised individual for a  
15 new offense while under community supervision.

16       (ii) The adjudication of a supervised individual for a  
17 violation of the conditions of supervision while under community  
18 supervision.

19       (iii) A sanction resulting from a violation of terms of  
20 supervision that results in a return to prison without being  
21 adjudicated.

22       (gg) "RSAT" means residential substance abuse treatment.

23       (hh) "Serious emotional disturbance" means that term as  
24 defined in section 100d(2) of the mental health code, 1974 PA 328,  
25 MCL 330.1100d.

26       (ii) "Serious mental illness" means that term as defined in  
27 section 100d(3) of the mental health code, 1974 PA 328, MCL

1 330.1100d.

2 (jj) "SSA" means the United States social security  
3 administration.

4 (kk) "SSA-SSI" means SSA supplemental security income.

5 Sec. 206. The department shall not take disciplinary action  
6 against an employee for communicating with a member of the  
7 legislature or his or her staff.

8 Sec. 208. Unless otherwise specified, the department shall use  
9 the Internet to fulfill the reporting requirements of this act.  
10 This requirement may include transmission of reports via electronic  
11 mail to the recipients identified for each reporting requirement or  
12 it may include placement of reports on an Internet or Intranet  
13 site.

14 Sec. 209. Funds appropriated in part 1 shall not be used for  
15 the purchase of foreign goods or services, or both, if  
16 competitively priced and of comparable quality American goods or  
17 services, or both, are available. Preference shall be given to  
18 goods or services, or both, manufactured or provided by Michigan  
19 businesses, if they are competitively priced and of comparable  
20 quality. In addition, preference should be given to goods or  
21 services, or both, that are manufactured or provided by Michigan  
22 businesses owned and operated by veterans, if they are  
23 competitively priced and of comparable quality.

24 Sec. 211. The department may charge fees and collect revenues  
25 in excess of appropriations in part 1 not to exceed the cost of  
26 offender services and programming, employee meals, parolee loans,  
27 academic/vocational services, custody escorts, compassionate

1 visits, union steward activities, and public works programs and  
2 services provided to local units of government. The revenues and  
3 fees collected are appropriated for all expenses associated with  
4 these services and activities.

5       Sec. 212. On a quarterly basis, each executive branch  
6 department and agency receiving appropriations in part 1 shall  
7 report on the number of full-time equated positions in pay status  
8 by civil service classification to the senate and house  
9 appropriations subcommittees on corrections, the legislative  
10 corrections ombudsman, and the senate and house fiscal agencies.  
11 This report shall include a detailed accounting of the long-term  
12 vacancies that exist within each department. As used in this  
13 subsection, "long-term vacancy" means any full-time equated  
14 position that has not been filled at any time during the past 24  
15 calendar months.

16       Sec. 216. The departments and agencies receiving  
17 appropriations in part 1 shall prepare a report on out-of-state  
18 travel expenses not later than January 1 of each year. The travel  
19 report shall be a listing of all travel by classified and  
20 unclassified employees outside this state in the immediately  
21 preceding fiscal year that was funded in whole or in part with  
22 funds appropriated in the department's budget. The report shall be  
23 submitted to the house and senate standing committees on  
24 appropriations, the legislative corrections ombudsman, the house  
25 and senate fiscal agencies, and the state budget director. The  
26 report shall include the following information:

27       (a) The dates of each travel occurrence.

1           (b) The total transportation and related costs of each travel  
2 occurrence, including the proportion funded with state general  
3 fund/general purpose revenues, the proportion funded with state  
4 restricted revenues, the proportion funded with federal revenues,  
5 and the proportion funded with other revenues.

6           Sec. 219. (1) Any contract for prisoner telephone services  
7 entered into after the effective date of this act shall include a  
8 condition that fee schedules for prisoner telephone calls,  
9 including rates and any surcharges other than those necessary to  
10 meet special equipment costs, be the same as fee schedules for  
11 calls placed from outside of correctional facilities.

12           (2) Revenues appropriated and collected for special equipment  
13 funds shall be considered state restricted revenue and shall be  
14 used for special equipment and security projects to facilitate the  
15 replacement of personal protection systems, and the acquisition of  
16 contraband detection systems. Unexpended funds remaining at the  
17 close of the fiscal year shall not lapse to the general fund but  
18 shall be carried forward and be available for appropriation in  
19 subsequent fiscal years.

20           (3) The department shall submit a report to the house and  
21 senate appropriations subcommittees on corrections, the legislative  
22 corrections ombudsman, the house and senate fiscal agencies, and  
23 the state budget director by February 1 outlining revenues and  
24 expenditures from special equipment funds. The report shall include  
25 all of the following:

26           (a) A list of all individual projects and purchases financed  
27 with special equipment funds in the immediately preceding fiscal

1 year, the amounts expended on each project or purchase, and the  
2 name of each vendor the products or services were purchased from.

3 (b) A list of planned projects and purchases to be financed  
4 with special equipment funds during the current fiscal year and the  
5 amounts to be expended on each project or purchase.

6 (c) A review of projects and purchases planned for future  
7 fiscal years from special equipment funds.

8 Sec. 220. Not later than November 30, the department shall  
9 prepare and transmit a report that provides for estimates of the  
10 total general fund/general purpose appropriation lapses at the  
11 close of the fiscal year. This report shall summarize the projected  
12 year-end general fund/general purpose appropriation lapses by major  
13 departmental program or program areas. The report shall be  
14 transmitted to the office of the state budget, the chairpersons of  
15 the senate and house of representatives standing committees on  
16 appropriations, the legislative corrections ombudsman, and the  
17 senate and house fiscal agencies.

18 Sec. 221. The department shall cooperate with the department  
19 of technology, management, and budget to maintain a searchable  
20 website accessible by the public at no cost that includes, but is  
21 not limited to, all of the following for each department or agency:

22 (a) Fiscal year-to-date expenditures by category.

23 (b) Fiscal year-to-date expenditures by appropriation unit.

24 (c) Fiscal year-to-date payments to a selected vendor,  
25 including the vendor name, payment date, payment amount, and  
26 payment description.

27 (d) The number of active department employees by job

1 classification.

2 (e) Job specifications and wage rates.

3 Sec. 223. (1) In addition to the funds appropriated in part 1,  
4 there is appropriated an amount not to exceed \$10,000,000.00 for  
5 federal contingency funds. These funds are not available for  
6 expenditure until they have been transferred to another line item  
7 in this act under section 393(2) of the management and budget act,  
8 1984 PA 431, MCL 18.1393.

9 (2) In addition to the funds appropriated in part 1, there is  
10 appropriated an amount not to exceed \$5,000,000.00 for state  
11 restricted contingency funds. These funds are not available for  
12 expenditure until they have been transferred to another line item  
13 in this act under section 393(2) of the management and budget act,  
14 1984 PA 431, MCL 18.1393.

15 (3) In addition to the funds appropriated in part 1, there is  
16 appropriated an amount not to exceed \$2,000,000.00 for local  
17 contingency funds. These funds are not available for expenditure  
18 until they have been transferred to another line item in this act  
19 under section 393(2) of the management and budget act, 1984 PA 431,  
20 MCL 18.1393.

21 (4) In addition to the funds appropriated in part 1, there is  
22 appropriated an amount not to exceed \$2,000,000.00 for private  
23 contingency funds. These funds are not available for expenditure  
24 until they have been transferred to another line item in this act  
25 under section 393(2) of the management and budget act, 1984 PA 431,  
26 MCL 18.1393.

27 Sec. 224. By March 1, the department shall provide a report to

1 the senate and house appropriations subcommittees on corrections,  
2 the legislative corrections ombudsman, the senate and house fiscal  
3 agencies, and the state budget director. The report shall  
4 individually identify all lawsuits filed against the department  
5 during the fiscal year and those in process as of the beginning and  
6 end of the fiscal year and shall indicate the nature of the  
7 complaint by the plaintiff. The report shall individually indicate  
8 the disposition of any lawsuit settled or adjudicated during the  
9 fiscal year in which the settlement or ordered payment was  
10 \$100,000.00 or more.

11 Sec. 229. Within 14 days after the release of the executive  
12 budget recommendation, the department shall provide the state  
13 budget director, the senate and house appropriations chairs, the  
14 senate and house appropriations subcommittees on corrections,  
15 respectively, the legislative corrections ombudsman, and the senate  
16 and house fiscal agencies with an annual report on estimated state  
17 restricted fund balances, state restricted fund projected revenues,  
18 and state restricted fund expenditures for the fiscal years ending  
19 September 30, 2013 and September 30, 2014.

20 Sec. 230. Funds appropriated in part 1 shall not be used by a  
21 principal executive department, state agency, or authority to hire  
22 a person to provide legal services that are the responsibility of  
23 the attorney general. This prohibition does not apply to legal  
24 services for bonding activities and for those outside services that  
25 the attorney general authorizes.

26 Sec. 231. The department shall maintain, on a publicly  
27 accessible website, a department scorecard that identifies, tracks,

1 and regularly updates key metrics that are used to monitor and  
2 improve the agency's performance.

3 Sec. 238. It is the intent of the legislature that the  
4 department make additional efforts to sell, rent, or otherwise  
5 repurpose closed correctional facilities.

6 Sec. 239. It is the intent of the legislature that the  
7 department establish and maintain a management-to-staff ratio of  
8 not more than 1 supervisor for each 5 employees at the department's  
9 central office in Lansing and at both the northern and southern  
10 region administration offices.

#### 11 **EXECUTIVE**

12 Sec. 301. For 3 years after a felony offender is released from  
13 the department's jurisdiction, the department shall maintain the  
14 offender's file on the offender tracking information system and  
15 make it publicly accessible in the same manner as the file of the  
16 current offender. However, the department shall immediately remove  
17 the offender's file from the offender tracking information system  
18 upon determination that the offender was wrongfully convicted and  
19 the offender's file is not otherwise required to be maintained on  
20 the offender tracking information system.

21 Sec. 304. The director of the department shall maintain a  
22 staff savings initiative program to invite employees to submit  
23 suggestions for saving costs for the department.

24 Sec. 305. By March 1, the department shall report to the  
25 senate and house appropriations subcommittees on corrections, the  
26 legislative corrections ombudsman, the senate and house fiscal

1 agencies, and the state budget director on the number of prisoners  
2 who committed suicide during the previous calendar year. To the  
3 extent permitted by law, the report shall include all of the  
4 following information:

5 (a) The prisoner's age, offense, sentence, and admission date.

6 (b) Each prisoner's facility and unit.

7 (c) A description of the circumstances of the suicide.

8 (d) The date of the suicide.

9 (e) Whether the suicide occurred in a housing unit, a  
10 segregation unit, a mental health unit, or elsewhere on the grounds  
11 of the facility.

12 (f) Whether the prisoner had been denied parole and the date  
13 of any denial.

14 (g) Whether the prisoner had received a mental health  
15 evaluation or assessment.

16 (h) Details on the department's responses to each suicide,  
17 including immediate on-site responses and subsequent internal  
18 investigations.

19 (i) A description of any monitoring and psychiatric  
20 interventions that had been undertaken prior to the prisoner's  
21 suicide, including any changes in placement or mental health care.

22 (j) Whether the prisoner had previously attempted suicide.

23 **PRISONER RE-ENTRY AND COMMUNITY SUPPORT**

24 Sec. 401. The department shall submit 3-year and 5-year prison  
25 population projection updates concurrent with submission of the  
26 executive budget to the senate and house appropriations

1 subcommittees on corrections, the legislative corrections  
2 ombudsman, the senate and house fiscal agencies, and the state  
3 budget director. The report shall include explanations of the  
4 methodology and assumptions used in developing the projection  
5 updates.

6 Sec. 402. (1) It is the intent of the legislature that the  
7 funds appropriated in part 1 for prisoner re-entry programs be  
8 expended for the purpose of reducing victimization by reducing  
9 repeat offending through the following prisoner re-entry  
10 programming:

11 (a) The provision of employment or employment services and job  
12 training.

13 (b) The provision of housing assistance.

14 (c) Referral to mental health services.

15 (d) Referral to substance abuse services.

16 (e) Referral to public health services.

17 (f) Referral to education.

18 (g) Referral to any other services necessary for successful  
19 reintegration.

20 (2) By March 1, the department shall provide a report on  
21 prisoner re-entry expenditures and allocations to the members of  
22 the senate and house appropriations subcommittees on corrections,  
23 the legislative corrections ombudsman, the senate and house fiscal  
24 agencies, and the state budget director. At a minimum, the report  
25 shall include information on both of the following:

26 (a) Details on prior-year expenditures, including amounts  
27 spent on each project funded, itemized by service provided and

1 service provider.

2 (b) Allocations and planned expenditures for each project  
3 funded and for each project to be funded, itemized by service to be  
4 provided and service provider. The department shall provide an  
5 amended report quarterly, if any revisions to allocations or  
6 planned expenditures occurred during that quarter.

7 Sec. 405. (1) In expending residential substance abuse  
8 treatment services funds appropriated under this act, the  
9 department shall ensure to the maximum extent possible that  
10 residential substance abuse treatment services are available  
11 statewide.

12 (2) By March 1, the department shall report to the senate and  
13 house appropriations subcommittees on corrections, the legislative  
14 corrections ombudsman, the senate and house fiscal agencies, and  
15 the state budget director on the allocation, distribution, and  
16 expenditure of all funds appropriated by the substance abuse  
17 testing and treatment line item during fiscal year 2012-2013 and  
18 projected for fiscal year 2013-2014. The report shall include, but  
19 not be limited to, an explanation of an anticipated year-end  
20 balance, the number of participants in substance abuse programs,  
21 and the number of offenders on waiting lists for residential  
22 substance abuse programs. Information required under this  
23 subsection shall, where possible, be separated by MDOC  
24 administrative region and by offender type, including, but not  
25 limited to, a distinction between prisoners, parolees, and  
26 probationers.

27 (3) By March 1, the department shall report to the senate and

1 house appropriations subcommittees on corrections, the legislative  
2 corrections ombudsman, the senate and house fiscal agencies, and  
3 the state budget director on substance abuse testing and treatment  
4 program objectives, outcome measures, and results, including  
5 program impact on offender success and programmatic success as  
6 those terms are defined in section 203.

7       Sec. 407. (1) By June 30, the department shall place the  
8 statistical report from the immediately preceding calendar year on  
9 an Internet site. The statistical report shall include, but not be  
10 limited to, the information as provided in the 2004 statistical  
11 report.

12       (2) It is the intent of the legislature that starting with  
13 calendar year 2010, the statistical report be placed on an Internet  
14 site within 6 months after the end of each calendar year.

15       Sec. 408. The department shall measure the recidivism rates of  
16 offenders using at least a 3-year period following their release  
17 from prison. Any time spent in a county jail or otherwise  
18 incarcerated shall be included in the recidivism rates.

19       Sec. 410. (1) The funds included in part 1 for community  
20 corrections comprehensive plans and services are to encourage the  
21 development through technical assistance grants, implementation,  
22 and operation of community corrections programs that enhance  
23 offender success and that also may serve as an alternative to  
24 incarceration in a state facility or jail. The comprehensive  
25 corrections plans shall include an explanation of how the public  
26 safety will be maintained, the goals for the local jurisdiction,  
27 offender target populations intended to be affected, offender

1 eligibility criteria for purposes outlined in the plan, and how the  
2 plans will meet the following objectives, consistent with section  
3 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

4 (a) Reduce admissions to prison of offenders who would likely  
5 be sentenced to imprisonment, including probation violators.

6 (b) Improve the appropriate utilization of jail facilities,  
7 the first priority of which is to open jail beds intended to house  
8 otherwise prison-bound felons, and the second priority being to  
9 appropriately utilize jail beds so that jail crowding does not  
10 occur.

11 (c) Open jail beds through the increase of pretrial release  
12 options.

13 (d) Reduce the readmission to prison of parole violators.

14 (e) Reduce the admission or readmission to prison of  
15 offenders, including probation violators and parole violators, for  
16 substance abuse violations.

17 (f) Contribute to offender success, as that term is defined in  
18 section 203.

19 (2) The award of community corrections comprehensive plans and  
20 residential services funds shall be based on criteria that include,  
21 but are not limited to, the prison commitment rate by category of  
22 offenders, trends in prison commitment rates and jail utilization,  
23 historical trends in community corrections program capacity and  
24 program utilization, and the projected impact and outcome of annual  
25 policies and procedures of programs on offender success, prison  
26 commitment rates, and jail utilization.

27 (3) Funds awarded for residential services in part 1 shall

1 provide for a per diem reimbursement of not more than \$47.50 for  
2 nonaccredited facilities, or of not more than \$48.50 for facilities  
3 that have been accredited by the American corrections association  
4 or a similar organization as approved by the department.

5       Sec. 411. The comprehensive corrections plans shall also  
6 include, where appropriate, descriptive information on the full  
7 range of sanctions and services that are available and utilized  
8 within the local jurisdiction and an explanation of how jail beds,  
9 residential services, the special alternative incarceration  
10 program, probation detention centers, the electronic monitoring  
11 program for probationers, and treatment and rehabilitative services  
12 will be utilized to support the objectives and priorities of the  
13 comprehensive corrections plans and the purposes and priorities of  
14 section 8(4) of the community corrections act, 1988 PA 511, MCL  
15 791.408, that contribute to the success of offenders. The plans  
16 shall also include, where appropriate, provisions that detail how  
17 the local communities plan to respond to sentencing guidelines  
18 found in chapter XVII of the code of criminal procedure, 1927 PA  
19 175, MCL 777.1 to 777.69, and use the county jail reimbursement  
20 program under section 414. The state community corrections board  
21 shall encourage local community corrections advisory boards to  
22 include in their comprehensive corrections plans strategies to  
23 collaborate with local alcohol and drug treatment agencies of the  
24 MDCH for the provision of alcohol and drug screening, assessment,  
25 case management planning, and delivery of treatment to alcohol- and  
26 drug-involved offenders.

27       Sec. 412. (1) As part of the March biannual report specified

1 in section 12(2) of the community corrections act, 1988 PA 511, MCL  
2 791.412, that requires an analysis of the impact of that act on  
3 prison admissions and jail utilization, the department shall submit  
4 to the senate and house appropriations subcommittees on  
5 corrections, the legislative corrections ombudsman, the senate and  
6 house fiscal agencies, and the state budget director the following  
7 information for each county and counties consolidated for  
8 comprehensive corrections plans:

9 (a) Approved technical assistance grants and comprehensive  
10 corrections plans including each program and level of funding, the  
11 utilization level of each program, and profile information of  
12 enrolled offenders.

13 (b) If federal funds are made available, the number of  
14 participants funded, the number served, the number successfully  
15 completing the program, and a summary of the program activity.

16 (c) Status of the community corrections information system and  
17 the jail population information system.

18 (d) Data on residential services, including participant data,  
19 participant sentencing guideline scores, program expenditures,  
20 average length of stay, and bed utilization data.

21 (e) Offender disposition data by sentencing guideline range,  
22 by disposition type, by prior record variable score, by number and  
23 percent statewide and by county, current year, and comparisons to  
24 the previous 3 years.

25 (f) Data on the use of funding made available under the felony  
26 drunk driver jail reduction and community treatment program.

27 (2) The report required under subsection (1) shall include the

1 total funding allocated, program expenditures, required program  
2 data, and year-to-date totals.

3 Sec. 413. (1) The department shall identify and coordinate  
4 information regarding the availability of and the demand for  
5 community corrections programs, jail-based community corrections  
6 programs, jail-based probation violation sanctions, and all state-  
7 required jail data.

8 (2) The department is responsible for the collection,  
9 analysis, and reporting of all state-required jail data.

10 (3) As a prerequisite to participation in the programs and  
11 services offered through the department, counties shall provide  
12 necessary jail data to the department.

13 Sec. 414. (1) The department shall administer a county jail  
14 reimbursement program from the funds appropriated in part 1 for the  
15 purpose of reimbursing counties for housing in jails certain felons  
16 who otherwise would have been sentenced to prison.

17 (2) The county jail reimbursement program shall reimburse  
18 counties for convicted felons in the custody of the sheriff if the  
19 conviction was for a crime committed on or after January 1, 1999  
20 and 1 of the following applies:

21 (a) The felon's sentencing guidelines recommended range upper  
22 limit is more than 18 months, the felon's sentencing guidelines  
23 recommended range lower limit is 12 months or less, the felon's  
24 prior record variable score is 35 or more points, and the felon's  
25 sentence is not for commission of a crime in crime class G or crime  
26 class H or a nonperson crime in crime class F under chapter XVII of  
27 the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

1 (b) The felon's minimum sentencing guidelines range minimum is  
2 more than 12 months under the sentencing guidelines described in  
3 subdivision (a).

4 (c) The felon was sentenced to jail for a felony committed  
5 while he or she was on parole and under the jurisdiction of the  
6 parole board and for which the sentencing guidelines recommended  
7 range for the minimum sentence has an upper limit of more than 18  
8 months.

9 (3) State reimbursement under this subsection shall be \$60.00  
10 per diem per diverted offender for offenders with a presumptive  
11 prison guideline score, \$50.00 per diem per diverted offender for  
12 offenders with a straddle cell guideline for a group 1 crime, and  
13 \$35.00 per diem per diverted offender for offenders with a straddle  
14 cell guideline for a group 2 crime. Reimbursements shall be paid  
15 for sentences up to a 1-year total.

16 (4) As used in this subsection:

17 (a) "Group 1 crime" means a crime in 1 or more of the  
18 following offense categories: arson, assault, assaultive other,  
19 burglary, criminal sexual conduct, homicide or resulting in death,  
20 other sex offenses, robbery, and weapon possession as determined by  
21 the department of corrections based on specific crimes for which  
22 counties received reimbursement under the county jail reimbursement  
23 program in fiscal year 2007 and fiscal year 2008, and listed in the  
24 county jail reimbursement program document titled "FY 2007 and FY  
25 2008 Group One Crimes Reimbursed", dated March 31, 2009.

26 (b) "Group 2 crime" means a crime that is not a group 1 crime,  
27 including larceny, fraud, forgery, embezzlement, motor vehicle,

1 malicious destruction of property, controlled substance offense,  
2 felony drunk driving, and other nonassaultive offenses.

3 (c) "In the custody of the sheriff" means that the convicted  
4 felon has been sentenced to the county jail and is either housed in  
5 the county jail or has been released from jail and is being  
6 monitored through the use of the sheriff's electronic monitoring  
7 system.

8 (5) County jail reimbursement program expenditures shall not  
9 exceed the amount appropriated in part 1 for the county jail  
10 reimbursement program. Payments to counties under the county jail  
11 reimbursement program shall be made in the order in which properly  
12 documented requests for reimbursements are received. A request  
13 shall be considered to be properly documented if it meets MDOC  
14 requirements for documentation. By October 15, 2013, the department  
15 shall distribute the documentation requirements to all counties.

16 Sec. 416. Allowable uses of the felony drunk driver jail  
17 reduction and community treatment program shall include reimbursing  
18 counties for transportation, treatment costs, and housing felony  
19 drunk drivers during a period of assessment for treatment and case  
20 planning. Reimbursements for housing during the assessment process  
21 shall be at the rate of \$43.50 per day per offender, up to a  
22 maximum of 5 days per offender.

23 Sec. 417. (1) By March 1, the department shall report to the  
24 members of the senate and house appropriations subcommittees on  
25 corrections, the legislative corrections ombudsman, the senate and  
26 house fiscal agencies, and the state budget director on each of the  
27 following programs from the previous fiscal year:

1 (a) The county jail reimbursement program.

2 (b) The felony drunk driver jail reduction and community  
3 treatment program.

4 (c) Any new initiatives to control prison population growth  
5 funded or proposed to be funded under part 1.

6 (2) For each program listed under subsection (1), the report  
7 shall include information on each of the following:

8 (a) Program objectives and outcome measures, including, but  
9 not limited to, the number of offenders who successfully completed  
10 the program, and the number of offenders who successfully remained  
11 in the community during the 3 years following termination from the  
12 program.

13 (b) Expenditures by location.

14 (c) The impact on jail utilization.

15 (d) The impact on prison admissions.

16 (e) Other information relevant to an evaluation of the  
17 program.

18 Sec. 419. (1) The department shall provide weekly electronic  
19 mail reports to the senate and house appropriations subcommittees  
20 on corrections, the legislative corrections ombudsman, the senate  
21 and house fiscal agencies, and the state budget director on  
22 prisoner, parolee, and probationer populations by facility, and  
23 prison capacities.

24 (2) The department shall provide monthly electronic mail  
25 reports to the senate and house appropriations subcommittees on  
26 corrections, the legislative corrections ombudsman, the senate and  
27 house fiscal agencies, and the state budget director. The reports

1 shall include information on end-of-month prisoner populations in  
2 county jails, the net operating capacity according to the most  
3 recent certification report, identified by date, and end-of-month  
4 data, year-to-date data, and comparisons to the prior year for the  
5 following:

6 (a) Community residential program populations, separated by  
7 centers and electronic monitoring.

8 (b) Parole populations.

9 (c) Probation populations, with identification of the number  
10 in special alternative incarceration.

11 (d) Prison and camp populations, with separate identification  
12 of the number in special alternative incarceration and the number  
13 of lifers.

14 (e) Parole board activity, including the numbers and  
15 percentages of parole grants and parole denials.

16 (f) Prisoner exits, identifying transfers to community  
17 placement, paroles from prisons and camps, paroles from community  
18 placement, total movements to parole, prison intake, prisoner  
19 deaths, prisoners discharging on the maximum sentence, and other  
20 prisoner exits.

21 (g) Prison intake and returns, including probation violators,  
22 new court commitments, violators with new sentences, escaper new  
23 sentences, total prison intake, returns from court with additional  
24 sentences, community placement returns, technical parole violator  
25 returns, and total returns to prison and camp.

26 Sec. 420. By March 1, the department shall report to the  
27 senate and house appropriations subcommittees on corrections, the

senate and house judiciary committees, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on performance data and efforts to improve efficiencies relative to departmental staffing, health care services, food service, prisoner transportation, mental health care services, and pharmaceutical costs.

Sec. 433. The department shall report annually on March 1 to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on the status of any contracts entered into under the June 2009 request for proposals for the re-entry initiative project for offenders with special needs. The report shall include information on all of the following:

(a) The number of prisoners and participating parolees in each of the target population subgroups, including medically fragile, mentally ill, developmentally disabled, and youthful offenders.

(b) Descriptions of the key services being provided to each subgroup under the contract or contracts.

(c) Estimates of the average per-offender costs of services for each target population subgroup under each contract, compared to the average cost of prison incarceration for those populations.

#### **OPERATIONS AND SUPPORT ADMINISTRATION**

Sec. 501. From the funds appropriated in part 1 for prosecutorial and detainer expenses, the department shall reimburse counties for housing and custody of parole violators and offenders

1 being returned by the department from community placement who are  
2 available for return to institutional status and for prisoners who  
3 volunteer for placement in a county jail.

4       Sec. 502. Funds included in part 1 for the sheriffs'  
5 coordinating and training office are appropriated for and may be  
6 expended to defray costs of continuing education, certification,  
7 recertification, decertification, and training of local corrections  
8 officers, the personnel and administrative costs of the sheriffs'  
9 coordinating and training office, the local corrections officers  
10 advisory board, and the sheriffs' coordinating and training council  
11 under the local corrections officers training act, 2003 PA 125, MCL  
12 791.531 to 791.546.

13       Sec. 505. The department shall provide for the training of all  
14 custody staff in effective and safe ways of handling prisoners with  
15 mental illness and referring prisoners to mental health treatment  
16 programs. Mental health awareness training shall be incorporated  
17 into the training of new custody staff.

18       Sec. 506. It is the intent of the legislature that the  
19 department work cooperatively and share curriculum and outcome  
20 goals with community colleges and colleges that are interested in  
21 offering new employee training academies. The department shall  
22 assist community colleges and colleges in gaining approval of the  
23 corrections officer's training council, as required under 2012 PA  
24 526. The community colleges and colleges the department works with  
25 shall be geographically dispersed across the state and whenever  
26 possible should be near department of corrections facilities.

1    **FIELD OPERATIONS ADMINISTRATION**

2           Sec. 601. (1) From the funds appropriated in part 1, the  
3 department shall conduct a statewide caseload audit of field  
4 agents. The audit shall address public protection issues and assess  
5 the ability of the field agents to complete their professional  
6 duties. The complete audit shall be submitted to the senate and  
7 house appropriations subcommittees on corrections, the legislative  
8 corrections ombudsman, the senate and house fiscal agencies, and  
9 the state budget office by March 1.

10          (2) It is the intent of the legislature that the department  
11 maintain a number of field agents sufficient to meet supervision  
12 and workload standards.

13          Sec. 603. (1) All prisoners, probationers, and parolees  
14 involved with the electronic tether program shall reimburse the  
15 department for costs associated with their participation in the  
16 program. The department may require community service work  
17 reimbursement as a means of payment for those able-bodied  
18 individuals unable to pay for the costs of the equipment.

19          (2) Program participant contributions and local community  
20 tether program reimbursement for the electronic tether program  
21 appropriated in part 1 are related to program expenditures and may  
22 be used to offset expenditures for this purpose.

23          (3) Included in the appropriation in part 1 is adequate  
24 funding to implement the community tether program to be  
25 administered by the department. The community tether program is  
26 intended to provide sentencing judges and county sheriffs in  
27 coordination with local community corrections advisory boards

1 access to the state's electronic tether program to reduce prison  
2 admissions and improve local jail utilization. The department shall  
3 determine the appropriate distribution of the tether units  
4 throughout the state based upon locally developed comprehensive  
5 corrections plans under the community corrections act, 1988 PA 511,  
6 MCL 791.401 to 791.414.

7 (4) For a fee determined by the department, the department  
8 shall provide counties with the tether equipment, replacement  
9 parts, administrative oversight of the equipment's operation,  
10 notification of violators, and periodic reports regarding county  
11 program participants. Counties are responsible for tether equipment  
12 installation and service. For an additional fee as determined by  
13 the department, the department shall provide staff to install and  
14 service the equipment. Counties are responsible for the  
15 coordination and apprehension of program violators.

16 (5) Any county with tether charges outstanding over 60 days  
17 shall be considered in violation of the community tether program  
18 agreement and lose access to the program.

19 Sec. 608. By March 1, the department shall report to the  
20 senate and house appropriations subcommittees on corrections, the  
21 legislative corrections ombudsman, the senate and house fiscal  
22 agencies, and the state budget director on the use of electronic  
23 monitoring. At a minimum, the report shall include all of the  
24 following:

25 (a) Details on the failure rate of parolees for whom GPS  
26 tether is utilized, including the number and rate of parolee  
27 technical violations, including specifying failures due to

1 committing a new crime that is uncharged but leads to parole  
2 termination, and the number and rate of parolee violators with new  
3 sentences.

4 (b) Information on the factors considered in determining  
5 whether an offender is placed on active GPS tether, passive GPS  
6 tether, radio frequency tether, or some combination of these or  
7 other types of electronic monitoring.

8 (c) Monthly data on the number of offenders on active GPS  
9 tether, passive GPS tether, radio frequency tether, and any other  
10 type of tether.

11 Sec. 611. The department shall prepare by March 1 individual  
12 reports for the community re-entry program, the electronic tether  
13 program, and the special alternative to incarceration program. The  
14 reports shall be submitted to the house and senate appropriations  
15 subcommittees on corrections, the legislative corrections  
16 ombudsman, the house and senate fiscal agencies, and the state  
17 budget director. Each program's report shall include information on  
18 all of the following:

19 (a) Monthly new participants by type of offender. Community  
20 re-entry program participants shall be categorized by reason for  
21 placement. For technical rule violators, the report shall sort  
22 offenders by length of time since release from prison, by the most  
23 recent violation, and by the number of violations occurring since  
24 release from prison.

25 (b) Monthly participant unsuccessful terminations, including  
26 cause.

27 (c) Number of successful terminations.

1 (d) End month population by facility/program.

2 (e) Average length of placement.

3 (f) Return to prison statistics.

4 (g) Description of each program location or locations,  
5 capacity, and staffing.

6 (h) Sentencing guideline scores and actual sentence statistics  
7 for participants, if applicable.

8 (i) Comparison with prior year statistics.

9 (j) Analysis of the impact on prison admissions and jail  
10 utilization and the cost effectiveness of the program.

11 Sec. 612. (1) The department shall review and revise as  
12 necessary policy proposals that provide alternatives to prison for  
13 offenders being sentenced to prison as a result of technical  
14 probation violations and technical parole violations. To the extent  
15 the department has insufficient policies or resources to affect the  
16 continued increase in prison commitments among these offender  
17 populations, the department shall explore other policy options to  
18 allow for program alternatives, including department or OCC-funded  
19 programs, local level programs, and programs available through  
20 private agencies that may be used as prison alternatives for these  
21 offenders.

22 (2) To the extent policies or programs described in subsection  
23 (1) are used, developed, or contracted for, the department may  
24 request that funds appropriated in part 1 be transferred under  
25 section 393(2) of the management and budget act, 1984 PA 431, MCL  
26 18.1393, for their operation.

27 (3) The department shall continue to utilize parole violator

1 processing guidelines that require parole agents to utilize all  
2 available appropriate community-based, nonincarcerative postrelease  
3 sanctions and services when appropriate. The department shall  
4 periodically evaluate such guidelines for modification, in response  
5 to emerging information from the demonstration projects for  
6 substance abuse treatment provided under this act and applicable  
7 provisions of prior budget acts for the department.

8 (4) The department shall provide annual reports to the senate  
9 and house appropriations subcommittees on corrections, the  
10 legislative corrections ombudsman, the senate and house fiscal  
11 agencies, and the state budget director on the number of all  
12 parolees returned to prison and probationers sentenced to prison  
13 for either a technical violation or new sentence during the  
14 preceding calendar quarter. The reports shall include the following  
15 information each for probationers, parolees after their first  
16 parole, and parolees who have been paroled more than once:

17 (a) The numbers of parole and probation violators returned to  
18 or sent to prison for a new crime with a comparison of original  
19 versus new offenses by major offense type: assaultive,  
20 nonassaultive, drug, and sex.

21 (b) The numbers of parole and probation violators returned to  
22 or sent to prison for a technical violation and the type of  
23 violation, including, but not limited to, zero gun tolerance and  
24 substance abuse violations. For parole technical rule violators,  
25 the report shall list violations by type, by length of time since  
26 release from prison, by the most recent violation, and by the  
27 number of violations occurring since release from prison.

1 (c) The educational history of those offenders, including how  
2 many had a GED or high school diploma prior to incarceration in  
3 prison, how many received a GED while in prison, and how many  
4 received a vocational certificate while in prison.

5 (d) The number of offenders who participated in the MPRI  
6 versus the number of those who did not.

7 (e) The unduplicated number of offenders who participated in  
8 substance abuse treatment programs, mental health treatment  
9 programs, or both, while in prison, itemized by diagnosis.

10 Sec. 615. After the parole board has reviewed the cases of all  
11 inmates sentenced to imprisonment for life with the possibility of  
12 parole who have good institutional records, the parole board shall  
13 calculate each inmate's parole guidelines score. The parole board  
14 shall provide the legislature with the specific reason or reasons  
15 why any individual inmate who scores "high probability of release"  
16 is not being paroled. The parole board shall submit a report  
17 containing a list of these reasons for each inmate to the house and  
18 senate appropriations subcommittees on corrections, the house and  
19 senate fiscal agencies, the legislative corrections ombudsman, and  
20 the state budget director by January 1.

## 21 HEALTH CARE

22 Sec. 802. As a condition of expenditure of the funds  
23 appropriated in part 1, the department shall provide the senate and  
24 house of representatives appropriations subcommittees on  
25 corrections, the legislative corrections ombudsman, the senate and  
26 house fiscal agencies, and the state budget director with all of

1 the following:

2 (a) Quarterly reports on physical and mental health care  
3 detailing quarterly and fiscal year-to-date expenditures itemized  
4 by vendor, allocations, status of payments from contractors to  
5 vendors, and projected year-end expenditures from accounts for  
6 prisoner health care, mental health care, pharmaceutical services,  
7 and durable medical equipment.

8 (b) Regular updates on progress on requests for proposals and  
9 requests for information pertaining to prisoner health care and  
10 mental health care, until the applicable contract is approved.

11 Sec. 804. (1) The department shall report quarterly to the  
12 senate and house appropriations subcommittees on corrections, the  
13 legislative corrections ombudsman, the senate and house fiscal  
14 agencies, and the state budget director on prisoner health care  
15 utilization. The report shall include the number of inpatient  
16 hospital days, outpatient visits, and emergency room visits in the  
17 previous quarter and since October 1, 2009, by facility.

18 (2) By March 1, the department shall report to the senate and  
19 house appropriations subcommittees on corrections, the legislative  
20 corrections ombudsman, the senate and house fiscal agencies, and  
21 the state budget director on prisoners receiving off-site inpatient  
22 medical care that would have received care in a state correctional  
23 facility if beds were available. The report shall include the  
24 number of prisoners receiving off-site inpatient medical care and  
25 average length of stay in an off-site facility during the period  
26 they would have received care in a state correctional facility if  
27 beds were available, by month and correctional facilities

1 administration region.

2       Sec. 806. From the funds appropriated in part 1, the  
3 department shall require a hepatitis C antibody test and an HIV  
4 test for each prisoner prior to release to the community by parole  
5 or discharge on the maximum sentence. The department shall require  
6 an HIV test and a hepatitis C risk factor screening for each  
7 prisoner at the health screening at admissions. If hepatitis C risk  
8 factors are identified, the department shall offer the prisoner a  
9 hepatitis C antibody test. An explanation of results of the tests  
10 shall be provided confidentially to the prisoner, and if  
11 appropriate based on the test results, the prisoner shall also be  
12 provided a recommendation to seek follow-up medical attention.

13       Sec. 807. The department shall ensure that all medications for  
14 a prisoner be transported with that prisoner when the prisoner is  
15 transferred from 1 correctional facility to another. Prisoners  
16 being released shall have access to at least a 30-day supply of  
17 medication and a prescription for refills to allow for continuity  
18 of care in the community.

19       Sec. 812. (1) The department shall provide the department of  
20 human services with a monthly list of prisoners newly committed to  
21 the department of corrections. The department and the department of  
22 human services shall enter into an interagency agreement under  
23 which the department of human services provides the department of  
24 corrections with monthly lists of newly committed prisoners who are  
25 eligible for Medicaid benefits in order to maintain the process by  
26 which Medicaid benefits are suspended rather than terminated. The  
27 department shall assist prisoners who may be eligible for Medicaid

1 benefits after release from prison with the Medicaid enrollment  
2 process prior to release from prison.

3 (2) The department shall provide the senate and house  
4 appropriations subcommittees on corrections, the legislative  
5 corrections ombudsman, the senate and house fiscal agencies, and  
6 the state budget director with quarterly updates on the utilization  
7 of Medicaid benefits for prisoners.

8 Sec. 814. The department shall assure that psychotropic  
9 medications are available, when deemed medically necessary by a  
10 licensed medical service provider, to prisoners who have mental  
11 illness diagnoses but are not enrolled in corrections mental health  
12 services.

13 Sec. 816. By April 1, the department shall provide the members  
14 of the senate and house appropriations subcommittees on  
15 corrections, the senate and house fiscal agencies, the state budget  
16 director, and the legislative corrections ombudsman with a report  
17 on pharmaceutical expenditures and prescribing practices. In  
18 particular, the report shall provide the following information:

19 (a) A detailed accounting of expenditures on antipsychotic  
20 medications.

21 (b) Any changes that have been made to the prescription drug  
22 formularies.

23 (c) A progress report on the department's efforts to address  
24 various findings outlined in audit report 471-0325-09L issued in  
25 March 2011 by the Michigan office of the auditor general.

26 **CORRECTIONAL FACILITIES ADMINISTRATION**

1       Sec. 904. The department shall calculate the per prisoner/per  
2 day cost for each prisoner security custody level. This calculation  
3 shall include all direct and indirect costs for the current fiscal  
4 year, including, but not limited to, the value of services provided  
5 to the department by other state agencies. To calculate the per  
6 prisoner/per day costs, the department shall divide these direct  
7 and indirect costs by the average daily population for each custody  
8 level. The department shall perform this calculation twice for each  
9 custody level. In the first calculation, the costs shall include  
10 the allocation of statewide legacy costs, and in the second  
11 calculation, the costs shall exclude the allocation of statewide  
12 legacy costs. A report summarizing these calculations shall be  
13 submitted to the senate and house appropriations subcommittees on  
14 corrections, the legislative corrections ombudsman, the senate and  
15 house fiscal agencies, and the state budget director not later than  
16 December 15.

17       Sec. 906. Any local unit of government or private organization  
18 that contracts with the department for public works services shall  
19 be responsible for financing the entire cost of such an agreement.

20       Sec. 907. The department shall report by March 1 to the senate  
21 and house appropriations subcommittees on corrections, the  
22 legislative corrections ombudsman, the senate and house fiscal  
23 agencies, and the state budget director on academic and vocational  
24 programs. The report shall provide information relevant to an  
25 assessment of the department's academic and vocational programs,  
26 including, but not limited to, all of the following:

27       (a) The number of instructors and the number of instructor

1 vacancies, by program and facility.

2 (b) The number of prisoners enrolled in each program, the  
3 number of prisoners completing each program, the number of  
4 prisoners who fail each program, the number of prisoners who do not  
5 complete each program and the reason for not completing the  
6 program, the number of prisoners transferred to another facility  
7 while enrolled in a program and the reason for transfer, the number  
8 of prisoners enrolled who are repeating the program by reason, and  
9 the number of prisoners on waiting lists for each program, all  
10 itemized by facility.

11 (c) The steps the department has undertaken to improve  
12 programs, track records, accommodate transfers and prisoners with  
13 health care needs, and reduce waiting lists.

14 (d) The number of prisoners paroled without a high school  
15 diploma and the number of prisoners paroled without a GED.

16 (e) An explanation of the value and purpose of each program,  
17 for example, to improve employability, reduce recidivism, reduce  
18 prisoner idleness, or some combination of these and other factors.

19 (f) An identification of program outcomes for each academic  
20 and vocational program.

21 (g) An explanation of the department's plans for academic and  
22 vocational programs, including plans to contract with intermediate  
23 school districts for GED and high school diploma programs.

24 (h) The number of prisoners not paroled at their earliest  
25 release date due to lack of a GED, and the reason those prisoners  
26 have not obtained a GED.

27 Sec. 910. The department shall allow the Michigan Braille

1 transcribing fund program to operate at its current location. The  
2 donation of the building by the Michigan Braille transcribing fund  
3 at the G. Robert Cotton correctional facility in Jackson is  
4 acknowledged and appreciated. The department shall continue to  
5 encourage the Michigan Braille transcribing fund program to produce  
6 high-quality materials for use by the visually impaired.

7       Sec. 911. By March 1, the department shall report to the  
8 senate and house appropriations subcommittees on corrections, the  
9 senate and house fiscal agencies, the legislative corrections  
10 ombudsman, and the state budget director the number of critical  
11 incidents occurring each month by type and the number and severity  
12 of assaults occurring each month at each facility during the  
13 immediately preceding calendar year.

14       Sec. 912. The department shall report to the senate and house  
15 appropriations subcommittees on corrections, the legislative  
16 corrections ombudsman, the senate and house fiscal agencies, and  
17 the state budget director by March 1 on the ratio of correctional  
18 officers to prisoners for each correctional institution, the ratio  
19 of shift command staff to line custody staff, and the ratio of  
20 noncustody institutional staff to prisoners for each correctional  
21 institution.

22       Sec. 913. (1) It is the intent of the legislature that any  
23 prisoner required to complete a violence prevention program, sexual  
24 offender program, or other program as a condition of parole shall  
25 be transferred to a facility where that program is available in  
26 order to accomplish timely completion of that program prior to the  
27 expiration of his or her minimum sentence and eligibility for

1 parole. Nothing in this section should be deemed to make parole  
2 denial appealable in court.

3 (2) The department shall submit a quarterly report to the  
4 members of the senate and house appropriations subcommittees on  
5 corrections, the senate and house fiscal agencies, the state budget  
6 director, and the legislative corrections ombudsman detailing  
7 enrollment in sex offender programming, assaultive offender  
8 programming, violent offender programming, and thinking for change.  
9 At a minimum, the report shall include the following:

10 (a) A full accounting of the number of individuals who are  
11 required to complete the programming, but have not yet done so.

12 (b) The number of individuals who have reached their earliest  
13 release date, but who have not completed required programming.

14 (c) A plan of action for addressing any waiting lists or  
15 backlogs for programming that may exist.

16 Sec. 916. The department shall report by February 1 to the  
17 senate and house appropriations subcommittees on corrections, the  
18 legislative corrections ombudsman, the senate and house fiscal  
19 agencies, and the state budget director on the number of computers  
20 available for use by prisoners within each prison facility. The  
21 report shall summarize the purpose and frequency of use of these  
22 computers within each facility, and in particular shall provide  
23 detail on the extent to which computers are utilized for education  
24 programming, for both academic and vocational purposes.

25 Sec. 924. The department shall evaluate all prisoners at  
26 intake for substance abuse disorders, developmental disorders,  
27 serious mental illness, and other mental health disorders.

1 Prisoners with serious mental illness or developmental disorder  
2 shall not be confined in administrative segregation. Under the  
3 supervision of a mental health professional, a prisoner with  
4 serious mental illness or developmental disorder may be secluded in  
5 a therapeutic environment for the safety of the prisoner or others.  
6 A prisoner in therapeutic seclusion shall be evaluated by a mental  
7 health professional not less than every 8 hours.

8 Sec. 925. By March 1, 2014, the department shall report to the  
9 senate and house appropriations subcommittees on corrections, the  
10 senate and house fiscal agencies, the legislative corrections  
11 ombudsman, and the state budget director on the annual number of  
12 prisoners in administrative segregation between October 1, 2003 and  
13 September 30, 2013, and the annual number of prisoners in  
14 administrative segregation between October 1, 2003 and September  
15 30, 2013 who at any time during the current or prior prison term  
16 were diagnosed with serious mental illness or have a developmental  
17 disorder and the number of days each of the prisoners with serious  
18 mental illness or a developmental disorder have been confined to  
19 administrative segregation.

20 Sec. 929. From the funds appropriated in part 1, the  
21 department shall do all of the following:

22 (a) Ensure that any inmate care and control staff in contact  
23 with prisoners less than 19 years of age are adequately trained  
24 with regard to the developmental and mental health needs of  
25 prisoners less than 19 years of age. By April 1, 2013, the  
26 department shall report to the senate and house appropriations  
27 subcommittees on corrections, the legislative corrections

1 ombudsman, the senate and house fiscal agencies, and the state  
2 budget director on the training curriculum used and the number and  
3 types of staff receiving training under that curriculum since  
4 October 2009.

5 (b) Provide appropriate placement for prisoners less than 19  
6 years of age who have serious mental illness, serious emotional  
7 disturbance, or a developmental disorder and need to be housed  
8 separately from the general population. Prisoners less than 19  
9 years of age who have serious mental illness, serious emotional  
10 disturbance, or a developmental disorder shall not be placed in  
11 administrative segregation. Under the supervision of a mental  
12 health professional, a prisoner less than 19 years of age with  
13 serious mental illness or serious emotional disturbance may be  
14 secluded in a therapeutic environment for the safety of the  
15 prisoner or others. A prisoner in therapeutic seclusion shall be  
16 evaluated not less than every 8 hours by a mental health  
17 professional in order to remain in therapeutic seclusion.

18 (c) Implement a specialized re-entry program that recognizes  
19 the needs of prisoners less than 19 years old for supervised re-  
20 entry.

21 Sec. 938. The department shall designate an individual to be  
22 responsible for responding to questions that legislators, vendors,  
23 and the public submit to the department about pending requests for  
24 proposals or requests for information. The department shall respond  
25 to these inquiries within 15 business days.

26 Sec. 939. (1) By January 1, the department shall release a  
27 request for proposal seeking competitive bids for the food service

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1 operations, 1,750 custody beds, and the electronic monitoring  
2 center.

3 (2) By January 1, the department shall release <<requests for  
4 information for competitive bids for prisoner clothing produced by  
5 Michigan state industries and for a secure detention facility that  
would house MDOC inmates serving terms of 2 years or less and  
provide job training and related programming.>>

6 (3) The department, working with the department of technology,  
7 management, and budget, shall issue a quarterly report detailing  
8 the current status of any requests for proposal or requests for  
9 information required under this section. If the status of any item  
10 listed in the report remains unchanged for more than 2 consecutive  
11 reporting periods, the report shall provide an explanation of the  
12 delay.

13 (4) When coordinating with the department of technology,  
14 management, and budget to competitively bid a department service,  
15 the department shall disclose to bidders in advance of bid  
16 submission all costs, including accrued legacy costs and  
17 administrative oversight costs, that will be included in the  
18 analysis of the potential savings of the bids.

19 Sec. 940. (1) Any lease, rental, contract, or other legal  
20 agreement that includes a provision allowing a private person or  
21 entity to use state-owned facilities or other property to conduct a  
22 for-profit business enterprise shall require the lessee to pay fair  
23 market value for the use of the state-owned property.

24 (2) The lease, rental, contract, or other legal agreement  
25 shall also require the party using the property to make a payment  
26 in lieu of taxes to the local jurisdictions that would otherwise  
27 receive property tax revenue, as if the property were not owned by

1 the state.

2       Sec. 942. The department shall ensure that any contract with a  
3 public or private party to operate a facility to house state  
4 prisoners includes a provision to allow access by both the office  
5 of the legislative auditor general and the office of the  
6 legislative corrections ombudsman to the facility and to  
7 appropriate records and documents related to the operation of the  
8 facility. These access rights for both offices shall be the same  
9 for the contracted facility as for a general state-operated  
10 correctional facility.

11 **CAPITAL OUTLAY**

12       Sec. 1001. The appropriations in part 1 for capital outlay  
13 shall be carried forward at the end of the fiscal year consistent  
14 with the provisions of section 248 of the management and budget  
15 act, 1984 PA 431, MCL 18.1248.

16                               PART 2A

17                   PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

18                               FOR FISCAL YEAR 2014-2015

19 **GENERAL SECTIONS**

20       Sec. 1201. It is the intent of the legislature to provide  
21 appropriations for the fiscal year ending on September 30, 2015 for  
22 the line items listed in part 1. The fiscal year 2014-2015  
23 appropriations are anticipated to be the same as those for fiscal  
24 year 2013-2014, except that the line items will be adjusted for

1 changes in caseload and related costs, federal fund match rates,  
2 economic factors, and available revenue. These adjustments will be  
3 determined after the January 2014 consensus revenue estimating  
4 conference.