SUBSTITUTE FOR

HOUSE BILL NO. 5780

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2023; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of corrections for the fiscal year ending September 30, 2023, from the following funds:

DEPARTMENT OF CORRECTIONS		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	16.0	
Full-time equated classified positions	13,488.4	

GROSS APPROPRIATION		**$**	**2,099,729,100**
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			0
ADJUSTED GROSS APPROPRIATION		**$**	**2,099,729,100**
Federal revenues:			
Total federal revenues			42,648,400
Special revenue funds:			
Total local revenues			9,879,500
Total private revenues			0
Total other state restricted revenues			29,831,800
State general fund/general purpose		**$**	**2,017,369,400**

Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT

Full-time equated unclassified positions	16.0		
Full-time equated classified positions	345.0		
Unclassified salaries--FTEs	16.0	$	2,142,100
Administrative hearings officers			3,478,000
Budget and operations administration--FTEs	256.0		36,896,100
Compensatory buyout and union leave bank			100
County jail reimbursement program			14,814,600
Employee wellness programming--FTEs	6.0		2,021,400
Equipment and special maintenance			1,559,700
Executive direction--FTEs	22.0		4,667,700
Judicial data warehouse user fees			50,600
New custody staff training			21,616,300
Prison industries operations--FTEs	61.0		10,230,300
Property management			2,479,200

Prosecutorial and detainer expenses			4,801,000
Worker's compensation			12,991,700
GROSS APPROPRIATION		**$**	**117,748,800**
Appropriated from:			
Federal revenues:			
DOJ, prison rape elimination act grant			674,700
Special revenue funds:			
Correctional industries revolving fund			10,230,300
Correctional industries revolving fund 110			721,600
Jail reimbursement program fund			5,900,000
State general fund/general purpose		**$**	**100,222,200**

Sec. 103. OFFENDER SUCCESS ADMINISTRATION

Full-time equated classified positions	342.9		
Community corrections comprehensive plans and services		$	13,198,100
Education/skilled trades/career readiness programs--FTEs	264.9		39,100,400
Enhanced food technology program--FTEs	11.0		1,640,000
Goodwill Flip the Script			1,250,000
Offender success community partners			14,500,000
Offender success federal grants			751,000
Offender success programming			16,122,800
Offender success services--FTEs	67.0		17,545,600
Public safety initiative			4,000,000
Residential probation diversions			16,575,500
GROSS APPROPRIATION		**$**	**124,683,400**
Appropriated from:			
Federal revenues:			

DOJ, prisoner reintegration			751,000
Federal education revenues			1,599,400
State general fund/general purpose		**$**	**122,333,000**
Sec. 104. FIELD OPERATIONS ADMINISTRATION			
Full-time equated classified positions	1,880.5		
Criminal justice reinvestment		$	3,748,400
Field operations--FTEs	1,849.5		227,464,600
Parole board operations--FTEs	31.0		3,942,800
Parole/probation services			940,000
Residential alternative to prison program			1,500,000
GROSS APPROPRIATION		**$**	**237,595,800**
Appropriated from:			
Special revenue funds:			
Community tether program reimbursement			275,000
Reentry center offender reimbursements			10,000
Supervision fees			6,630,500
Supervision fees set-aside			940,000
State general fund/general purpose		**$**	**229,740,300**
Sec. 105. CORRECTIONAL FACILITIES ADMINISTRATION			
Full-time equated classified positions	660.0		
Central records--FTEs	43.0	$	4,904,400
Correctional facilities administration--FTEs	37.0		6,702,400
Housing inmates in federal institutions			511,000
Inmate housing fund			100
Inmate legal services			290,900
Leased beds and alternatives to leased beds			100
Prison food service--FTEs	336.0		74,415,900
Prison store operations--FTEs	33.0		3,472,500

Transportation--FTEs	211.0		31,555,800
GROSS APPROPRIATION		**$**	**121,853,100**
Appropriated from:			
Federal revenues:			
DOJ-BOP, federal prisoner reimbursement			411,000
SSA-SSI, incentive payment			272,000
Special revenue funds:			
Correctional industries revolving fund 110			670,800
Resident stores			3,472,500
State general fund/general purpose		**$**	**117,026,800**
Sec. 106. HEALTH CARE			
Full-time equated classified positions	1,469.3		
Clinical complexes--FTEs	1,033.3	$	154,703,900
Health care administration--FTEs	18.0		3,660,100
Healthy Michigan plan administration--FTEs	12.0		1,019,000
Hepatitis C treatment			8,810,700
Interdepartmental grant to health and human services, eligibility specialists			120,200
Mental health and substance use disorder treatment services--FTEs	406.0		52,914,000
Prisoner health care services			94,793,600
Vaccination program			691,200
GROSS APPROPRIATION		**$**	**316,712,700**
Appropriated from:			
Federal revenues:			
Federal revenues and reimbursements			405,500
Special revenue funds:			
Prisoner health care co-payments			257,200

State general fund/general purpose		**$ 316,050,000**
Sec. 107. CORRECTIONAL FACILITIES		
Full-time equated classified positions	8,790.7	
Alger Correctional Facility - Munising--FTEs	259.0	$ 32,785,600
Baraga Correctional Facility - Baraga--FTEs	295.8	39,038,000
Bellamy Creek Correctional Facility - Ionia--FTEs	392.2	47,952,000
Carson City Correctional Facility - Carson City--FTEs	421.4	52,521,700
Central Michigan Correctional Facility - St. Louis--FTEs	386.6	49,518,200
Charles E. Egeler Correctional Facility - Jackson--FTEs	386.6	49,282,900
Chippewa Correctional Facility - Kincheloe--FTEs	443.6	55,403,800
Cooper Street Correctional Facility - Jackson--FTEs	254.6	31,773,300
Detroit Detention Center--FTEs	75.8	9,604,500
Earnest C. Brooks Correctional Facility - Muskegon--FTEs	248.2	32,733,100
G. Robert Cotton Correctional Facility - Jackson--FTEs	396.0	48,836,300
Gus Harrison Correctional Facility - Adrian--FTEs	443.6	54,123,800
Ionia Correctional Facility - Ionia--FTEs	288.3	36,863,100
Kinross Correctional Facility - Kincheloe--FTEs	258.6	35,253,100
Lakeland Correctional Facility - Coldwater--FTEs	275.4	35,548,100

Macomb Correctional Facility - New Haven--FTEs	313.3	40,421,100
Marquette Branch Prison - Marquette--FTEs	319.7	40,821,000
Michigan Reformatory - Ionia--FTEs	310.1	38,104,200
Muskegon Correctional Facility - Muskegon--FTEs	208.0	28,472,700
Newberry Correctional Facility - Newberry--FTEs	199.1	26,335,100
Oaks Correctional Facility - Eastlake--FTEs	289.4	37,750,800
Parnall Correctional Facility - Jackson--FTEs	266.1	31,673,400
Richard A. Handlon Correctional Facility - Ionia--FTEs	258.0	33,662,700
Saginaw Correctional Facility - Freeland--FTEs	276.9	35,767,400
Special Alternative Incarceration Program - Jackson--FTEs	26.2	5,206,400
St. Louis Correctional Facility - St. Louis--FTEs	306.6	40,700,000
Thumb Correctional Facility - Lapeer--FTEs	283.6	36,432,500
Womens Huron Valley Correctional Complex - Ypsilanti--FTEs	505.1	63,863,000
Woodland Correctional Facility - Whitmore Lake--FTEs	296.9	39,396,200
Northern region administration and support--FTEs	43.0	4,582,900
Southern region administration and support--FTEs	63.0	19,368,300
GROSS APPROPRIATION		**$ 1,133,795,200**
Appropriated from:		
Federal revenues:		
DOJ, state criminal assistance program		1,034,800
Special revenue funds:		

Local funds		9,604,500
State restricted fees, revenues, and reimbursements		102,100
State general fund/general purpose	**$**	**1,123,053,800**
Sec. 108. INFORMATION TECHNOLOGY		
Information technology services and projects	$	31,383,500
GROSS APPROPRIATION	**$**	**31,383,500**
Appropriated from:		
Special revenue funds:		
Correctional industries revolving fund 110		182,000
Supervision fees set-aside		714,800
State general fund/general purpose	**$**	**30,486,700**
Sec. 109. ONE-TIME APPROPRIATIONS		
ARP - corrections officer college	$	5,000,000
ARP - corrections officer signing bonuses		2,500,000
Absconder tracking		1,000,000
Chance for Life		2,500,000
Corrections officer retention bonuses		30,000,000
Electronic prisoner/staff communications		10,000,000
John Does v MDOC settlement agreement		15,000,000
Savings from reduced populations		(57,043,400)
Specialized electronic monitoring pilot program		2,000,000
Vocational village expansion		5,000,000
GROSS APPROPRIATION	**$**	**15,956,600**
Appropriated from:		
Federal revenues:		
Coronavirus state fiscal recovery fund		37,500,000
State general fund/general purpose	**$**	**(21,543,400)**

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR

GENERAL SECTIONS

Sec. 201. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2022-2023 is $2,047,201,200.00 and state spending from state sources to be paid to local units of government is $124,615,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS		
Community corrections comprehensive plans and services	$	13,198,100
County jail reimbursement program		14,814,600
Field Operations		69,726,100
Leased beds and alternatives to leased beds		100
Prosecutorial and detainer expenses		4,801,000
Public safety initiative		4,000,000
Residential alternative to prison program		1,500,000
Residential probation diversions		16,575,500
TOTAL	**$**	**124,615,400**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

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

(b) "Department" or "MDOC" means the Michigan department of corrections.

(c) "DOJ" means the United States Department of Justice.

(d) "DOJ-BOP" means the DOJ Bureau of Prisons.

(e) "Evidence-based" means a decision-making process that integrates the best available research, clinician expertise, and client characteristics.

(f) "Federally-qualified health center" means that term as defined in section 1396d(*l*)(2)(B) of the social security act, 42 USC 1396d.

(g) "FTE" means full-time equated.

(h) "Goal" means the intended or projected result of a comprehensive corrections plan or community corrections program to reduce repeat offending, criminogenic and high-risk behaviors, prison commitment rates, the length of stay in a jail, or to improve the utilization of a jail.

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

(j) "OCC" means the office of community corrections.

(k) "Offender success" means that an offender has, with the support of the community, intervention of the field agent, and benefit of any participation in programs and treatment, made an adjustment while at liberty in the community such that he or she has not been sentenced to or returned to prison for the conviction of a new crime or the revocation of probation or parole.

(*l*) "Recidivism" means that term as defined in section 1 of 2017 PA 5, MCL 798.31.

(m) "Serious emotional disturbance" means that term as defined in section 100d(2) of the mental health code, 1974 PA 258, MCL 330.1100d.

(n) "Serious mental illness" means that term as defined in section 100d(3) of the mental health code, 1974 PA 258, MCL 330.1100d.

(o) "SSA" means the United States Social Security Administration.

(p) "SSA-SSI" means SSA supplemental security income.

Sec. 204. The department shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via email to the recipients identified for each reporting requirement and it shall include placement of reports on an internet site.

Sec. 205. Except as otherwise provided in this part, all reports required under this part shall be submitted to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office.

Sec. 206. To the extent permissible under section 261 of the management and budget act, 1984 PA 431, MCL 18.1261, all of the following apply:

(a) Funds appropriated in part 1 must not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available.

(b) Preference must be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality.

(c) Preference must be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 207. The department shall not take disciplinary action against an employee of the department in the state classified civil service, or a prisoner, for communicating with a member of the legislature or his or her staff, unless the communication is prohibited by law and the department is exercising its authority as provided by law.

Sec. 208. The department shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees and to report recipients required in section 205 of this part. The report shall include the following information:

(a) The dates of each travel occurrence.

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

Sec. 209. Funds appropriated in part 1 shall not be used by the department to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 210. Not later than December 31, the state budget office shall prepare and transmit a report that provides estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees and the senate and house fiscal agencies.

Sec. 211. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $2,500,000.00 for federal contingency authorization. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 212. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department:

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

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

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

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 213. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.

Sec. 214. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 215. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2023 are estimated at $270,855,400.00. From this amount, total department appropriations for pension-related legacy costs are estimated at $164,444,700.00. Total department appropriations for retiree health care legacy costs are estimated at $106,410,700.00.

Sec. 216. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 217. (1) On a quarterly basis, the department shall report on the number of full-time equated positions in pay status by civil service classification, including the number of full-time equated positions in pay status by civil service classification for each correctional facility. This report must include the following:

(a) A comparison by line item of the number of full-time equated positions authorized from funds appropriated in part 1 to the actual number of full-time equated positions employed by the department at the end of the reporting period.

(b) A detailed accounting of all vacant positions that exist within the department.

(c) A detailed accounting of all correction officer positions at each correctional facility, including positions that are filled and vacant positions, by facility.

(d) A detailed accounting of all vacant positions that are health care-related.

(e) A detailed accounting of vacant positions that are being held open for temporarily nonactive employees.

(2) By March 1, the department shall report the following information:

(a) Number of employees that were engaged in remote work in 2021.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

(3) As used in this section, "vacant position" means any position that has not been filled at any time during the past 12 calendar months.

Sec. 218. An executive branch department, agency, board, or commission that receives funding under part 1 shall not permit a state employee who was not working remotely, either full-time or part-time, before February 28, 2020, to work remotely, either full-time or part-time, during the current fiscal year.

Sec. 219. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 220. The department may charge fees and collect revenues in excess of appropriations in part 1 not to exceed the cost of offender services and programming, employee meals, parolee loans, academic/vocational services, custody escorts, compassionate visits, union steward activities, and public works programs and services provided to local units of government or private nonprofit organizations. The revenues and fees collected are appropriated for all expenses associated with these services and activities.

Sec. 221. The department shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 222. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, to the joint committee on administrative rules, and to report recipients required in section 205 of this part.

Sec. 223. (1) From the funds appropriated in part 1, the department shall do the following:

(a) Report to the senate and house appropriations committees and to report recipients required in section 205 of this part any amounts of severance pay for a department director, deputy director, or other high-ranking department official not later than 14 days after a severance agreement with the director or official is signed. The name of the director or official and the amount of severance pay must be included in the report required by this subdivision.

(b) Maintain an internet site that posts any severance pay in excess of 6 weeks of wages, regardless of the position held by the former department employee receiving severance pay.

(c) By February 1, report on the total amount of severance pay remitted to former department employees during the fiscal year ending September 30, 2022 and the total number of former department employees that were remitted severance pay during the fiscal year ending September 30, 2022.

(2) As used in this section, "severance pay" means compensation that is both payable or paid upon the termination of employment and in addition to either wages or benefits earned during the course of employment or generally applicable retirement benefits.

Sec. 224. (1) Any department, agency, board, commission, or public officer that receives funding under part 1 shall not:

(a) Require as a condition of accessing any facility or receiving services that an individual provide proof that he or she has received a COVID-19 vaccine except as provided by federal law or as a condition of receiving federal Medicare or Medicaid funding.

(b) Produce, develop, issue, or require a COVID-19 vaccine passport.

(c) Develop a database or make any existing database publicly available to access an individual's COVID-19 vaccine status by any person, company, or governmental entity.

(d) Require as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine. This subdivision does not apply to any hospital, congregate care facility, or other medical facility or any hospital, congregate care facility, or other medical facility operated by a local subdivision that receives federal Medicare or Medicaid funding.

(2) A department, agency, board, commission, or public officer may not subject any individual to any negative employment consequence, retaliation, or retribution because of that individual's COVID-19 vaccine status.

(3) Subsection (1) does not prohibit any person, department, agency, board, commission, or public officer from transmitting proof of an individual's COVID-19 vaccine status to any person, company, or governmental entity, so long as the individual provides affirmative consent.

(4) If a department, agency, board, commission, subdivision, or official or public officer is required to establish a vaccine policy due to a federal mandate, it must provide exemptions to any COVID-19 vaccine policy to the following individuals:

(a) An individual for whom a physician certifies that a COVID-19 vaccine is or may be detrimental to the individual's health or is not appropriate.

(b) An individual who provides a written statement to the effect that the requirements of the COVID-19 vaccine policy cannot be met because of religious convictions or other consistently held objection to immunization.

(5) As used in this section, "public officer" means a person appointed by the governor or another executive department official or an elected or appointed official of this state or a political subdivision of this state.

Sec. 225. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 226. It is the intent of the legislature that the department establish and maintain a management-to-staff ratio of not more than 1 supervisor for each 8 employees at the department's central office in Lansing and at both the northern and southern region administration offices.

Sec. 227. The department shall provide the state court administrative office data sufficient to administer the swift and sure sanctions program.

DEPARTMENTAL ADMINISTRATION AND SUPPORT

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

Sec. 302. From the funds appropriated in part 1, the department shall submit a report by March 1 on the department's staff retention strategies. The report must include, but not be limited to, the following:

(a) The department's strategies on how to improve employee engagement, how to improve employee wellness, and how to offer additional training and professional development for employees, including metrics the department is using to measure success of employee wellness programming.

(b) Mechanisms by which the department receives employee feedback in areas under subdivision (a) and how the department considers suggestions made by employees.

(c) Steps the department has taken, and future plans and goals the department has for retention and improving employee wellness.

Sec. 303. From the funds appropriated in part 1, the department shall submit a report by March 1 on the number of employee departures. The report must include the number of corrections officers that departed from employment at a state correctional facility in the immediately preceding fiscal year and the number of years they worked for the department. The report shall include a chart that shows the normal distribution of employee departures in these positions based on years of service. Years of service shall be grouped into the following ranges: 1 to 3 years, 3 to 5 years, 5 to 10 years, 10 to 15 years, 15 to 20 years, and 20 and more years. The department shall review all reasons for employee departures and summarize in the report the primary reasons for departure for each of the ranges of years of service based on the available responses. The report shall include a section that shows the distinction between recruits who are in-training at the academy that depart employment, recruits who are in-training at a facility that depart employment, and employees who have been on the job that depart employment.

Sec. 304. From the funds appropriated in part 1, the department shall maintain a staff savings initiative program in conjunction with the EPIC program for employees to submit suggestions for efficiencies for the department. The department shall consider each suggestion in a timely manner. By March 1, the department shall report on process improvements that were implemented based on suggestions that were recommended for implementation from the staff savings initiative and EPIC programs. An employee whose suggestion is implemented by the department shall receive noncompensatory recognition for their efforts.

Sec. 305. 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 being returned by the department from community placement who are available for return to institutional status and for prisoners who volunteer for placement in a county jail.

Sec. 306. The department shall provide fiduciary oversight of funds received under the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546.

Sec. 307. From the funds appropriated in part 1, the department shall issue a biannual report for all vendor contracts. The report shall cover service contracts with a value of $500,000.00 or more and include all of the following:

(a) The original start date and the current expiration date of each contract.

(b) The number, if any, of contract compliance monitoring site visits completed by the department for each vendor.

(c) The number and amount of fines, if any, for service-level agreement noncompliance for each vendor broken down by area of noncompliance.

Sec. 308. (1) From the funds appropriated in part 1, the department shall not exercise its option to extend the current contract for prisoner telephone services past the contract's current expiration date.

(2) Prior to the contract's current expiration date, a request for proposal shall be issued for a new prisoner telephone services contract that meets the security needs of the department and offers the lowest rates to prisoners. The contract shall be awarded to the bidder that offers the best service at the lowest per-minute charge to prisoners.

Sec. 309. From the funds appropriated in part 1, the department shall provide for the training of all custody staff in effective and safe ways of handling prisoners with mental illness and referring prisoners to mental health treatment programs. Mental health awareness training shall be incorporated into the training of new custody staff.

Sec. 310. From the funds appropriated in part 1, the department shall issue a report for all correctional facilities by January 1 setting forth the following information for each facility: its name, street address, and date of construction; its current maintenance costs; any maintenance planned; its current utility costs; its expected future capital improvement costs; the current unspent balance of any authorized capital outlay projects, including the original authorized amount; and its expected future useful life.

Sec. 311. (1) From the funds appropriated in part 1, the department shall provide a strategic plan update report that details the progress being made in achieving the strategic plan of the department. The report shall be submitted by March 1 and shall contain updates on relevant strategic plan objectives, as well as key statistics and information about the department's efforts to decrease the overall recidivism rate and promote offender success by ensuring readiness to reenter society.

(2) Reports and studies related to the effectiveness of departmental programming created as part of a strategic plan objective shall be provided within 30 days of being received by or completed by the department.

Sec. 312. From the funds appropriated in part 1, the department shall provide a report on the Michigan state industries program by December 1. The report shall include, but not be limited to, the locations of the programs, the total number of participants at each location, a description of job duties and typical inmate schedules, the products that are produced, and how the program provides marketable skills that lead to employable outcomes after release from a department facility.

Sec. 313. (1) Funds appropriated in part 1 for employee wellness programming shall be used for post-traumatic stress outreach, treating mental health issues, peer support programs, and providing mental health programming for all department staff, including former employees.

(2) By November 1, the department shall submit a report on programs the department has established, the level of employee involvement, and expenditures made by the department for employee wellness programming.

Sec. 314. (1) From the funds appropriated in part 1, the department shall work to hire and train new corrections officers to address attrition of corrections officers and to decrease overtime costs. The department shall submit quarterly reports on new employee schools. The reports must include the following information for the immediately preceding fiscal quarter, and as much of the information as possible for the current and next fiscal year.

(a) The number of new employee schools that took place and the location of each.

(b) The number of recruits that started in each employee school.

(c) The number of recruits that graduated from each employee school and continued employment with the department.

(2) The report must outline the department's strategy to achieve a 5% or lower target corrections officer vacancy rate, must include reasons for not meeting the rate, and must explain challenges facing the department when trying to meet the rate.

Sec. 315. From the funds appropriated in part 1, the department shall submit a quarterly report on the number of overtime hours worked by all custody staff, by facility. The report shall include for each facility, the number of mandatory overtime hours worked, the number of voluntary overtime hours worked, the reasons for overtime hours worked, and the average number of overtime hours worked by active employees.

Sec. 316. From the funds appropriated in part 1, the department may establish agreements and exchange offender data with local, state, and federal agencies, law enforcement, community service and treatment providers, and research partners in order to improve offender success, reduce recidivism risk, and enhance public safety. This data sharing may include, but is not limited to, efforts to support the following:

(a) Providing continuing access to behavioral health, physical health, and medication needs through community-based providers.

(b) Establishing assistance program eligibility and participation.

(c) Collaborating with community service providers for continued care and access to services for offenders.

(d) Providing ongoing cognitive and behavioral treatment programming in the community.

(e) Providing substance abuse testing and referrals for counseling services and treatment.

(f) Providing vocational skill training, job placement support, and monitoring employment attainment.

(g) Determining educational attainment and needs.

(h) Establishing accurate offender identification, criminal histories, and monitoring new criminal activity.

(i) Measuring and evaluating treatment programs and services in support of evidence-based practices.

Sec. 317. From the funds appropriated in part 1, the department shall submit a status report on the corrections officer training academy on January 30 and June 30. The report shall include, but not be limited to, the following:

(a) History of appropriations for the project, including appropriations made specifically for the project and appropriations made from other operating line items to support project expenditures.

(b) Anticipated costs of the project, by phase.

(c) Actual expenditures made for the project by line item, fund source, fiscal year, and phase of the project, starting with initial expenditures.

(d) Any other information the department considers necessary.

Sec. 318. From the funds appropriated in part 1, the department shall submit a report by April 1 on programs that offer professional development and training opportunities for all levels of custody supervisors and first line managers. The report shall include an overview of existing departmental programs, as well as a review of programs available in other organizations and states that serve similar purposes that may be adopted in part or in full to enhance departmental training.

Sec. 319. From the funds appropriated in part 1, the department shall submit 3-year and 5-year prison population projection updates concurrent with submission of the executive budget recommendation, including explanations of the methodology and assumptions used in developing the projection updates.

Sec. 320. From the funds appropriated in part 1, the department shall place the statistical report from the immediately preceding calendar year on an internet site by June 30. The statistical report shall include, but not be limited to, the information as provided in the 2004 statistical report.

Sec. 321. From the funds appropriated in part 1, the department shall measure the reincarceration recidivism rates of offenders based on available data.

Sec. 322. (1) The department shall administer a county jail reimbursement program from the funds appropriated in part 1 for the purpose of reimbursing counties for housing in jails certain felons who otherwise would have been sentenced to prison.

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

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

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

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

(3) State reimbursement under this section shall be $65.00 per diem per diverted offender for offenders with a presumptive prison guideline score, $55.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 1 crime, and $40.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 2 crime. Reimbursements shall be paid for sentences up to a 1-year total.

(4) As used in this section:

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

(b) "Group 2 crime" means a crime that is not a group 1 crime, including larceny, fraud, forgery, embezzlement, motor vehicle, malicious destruction of property, controlled substance offense, felony drunk driving, and other nonassaultive offenses.

(c) "In the custody of the sheriff" means that the convicted felon has been sentenced to the county jail and is either housed in a county jail, is in custody but is being housed at a hospital or medical facility for a medical or mental health purpose, or has been released from jail and is being monitored through the use of the sheriff's electronic monitoring system.

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

(6) Any county that receives funding under this section for the purpose of housing in jails certain felons who otherwise would have been sentenced to prison shall, as a condition of receiving

the funding, report by September 30 an annual average jail capacity and annual average jail occupancy for the immediately preceding fiscal year.

(7) Not later than February 1, the department shall report all of the following information:

(a) The number of inmates sentenced to the custody of the sheriff and eligible for the county jail reimbursement program.

(b) The total amount paid to counties under the county jail reimbursement program.

(c) The total number of days inmates were in the custody of the sheriff and eligible for the county jail reimbursement program.

(d) The number of inmates sentenced to the custody of the sheriff under each of the 3 categories: presumptive prison, group 1 crime, and group 2 crime in subsection (3).

(e) The total amount paid to counties under each of the 3 categories: presumptive prison, group 1 crime, and group 2 crime in subsection (3).

(f) The total number of days inmates were in the custody of the sheriff under each of the 3 categories: presumptive prison, group 1 crime, and group 2 crime in subsection (3).

(g) The estimated cost of housing inmates sentenced to the custody of the sheriff and eligible for the county jail reimbursement program as inmates of a state prison.

Sec. 323. From the funds appropriated in part 1, the department shall reimburse counties for housing in jails felons who otherwise would have been transported to state correctional facilities if not for COVID-19 protocols. The department shall reimburse counties at a rate of $81.25 per offender per day.

Sec. 324. (1) From the funds appropriated in part 1, the department shall provide monthly email reports on prisoner populations by security levels by facility, prison facility capacities, and parolee and probationer populations.

(2) The department shall provide monthly email reports that include information on end-of-month prisoner populations in county jails, the net operating capacity according to the most recent certification report, identified by date, the number of beds in currently closed housing units by facility, and end-of-month data, year-to-date data, and comparisons to the prior year for the following:

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

(b) Parole populations.

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

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

(e) Prisoners classified as past their earliest release date.

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

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

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

(3) If the department knows it will not meet the reporting requirements under this section, the department shall immediately issue a report stating that fact and listing the reasons for not meeting the reporting requirements.

OFFENDER SUCCESS ADMINISTRATION

Sec. 401. (1) From the funds appropriated in part 1, the department shall provide a report on offender success expenditures and allocations. At a minimum, the report shall include details on prior-year expenditures, including amounts spent on each project funded, itemized by service provided and service provider. The report shall be submitted by March 1.

(2) The department may accept cash or in-kind donations to supplement funds for prison education training, supplies, and materials necessary to complete the academic and jobs skills related programs.

Sec. 402. From the funds appropriated in part 1, the department shall partner with nonprofit faith-based, business and professional, civic, and community organizations for the purpose of providing offender success services. Offender success services include, but are not limited to, counseling, providing information on housing and job placement, and money management assistance.

Sec. 403. From the funds appropriated in part 1 for offender success services, the department, when reasonably possible, shall ensure that inmates have potential employer matches in the communities to which they will return prior to each inmate's initial parole hearing.

Sec. 404. (1) From the funds appropriated in part 1, the department shall design services for offender success and vocational education programs, collaborating with the department of labor and economic opportunity and local entities to the extent deemed necessary by the director. The department shall ensure the program provides relevant professional development opportunities to prisoners who are high quality, demand driven, locally receptive, and responsive to the needs of communities where the prisoners are expected to reside after their release from correctional facilities.

(2) By March 1, the department shall provide a report detailing the results of the workforce development program.

Sec. 405. (1) Funds awarded for residential probation diversions in part 1 shall provide for a per diem reimbursement of not more than $55.50.

(2) Pursuant to an approved comprehensive plan, allowable uses of community corrections comprehensive plans and services funds shall include reimbursing counties for transportation, treatment costs, and housing drunk drivers during a period of assessment for treatment and case planning. Reimbursements for housing during the assessment process shall be at the rate of $43.50 per day per offender, up to a maximum of 5 days per offender.

Sec. 406. (1) From the funds appropriated in part 1, the department shall submit the following information for each county and counties consolidated for community corrections comprehensive plans:

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

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

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

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

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

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

(2) The report required under subsection (1) shall include the total funding allocated, program expenditures, required program data, and year-to-date totals.

Sec. 407. (1) From the funds appropriated in part 1 for public safety initiative, the law enforcement agency receiving funding under part 1 shall submit quarterly expenditure reports including a detailed listing of expenditures made, the purpose for which the expenditures were made, the amounts of expenditures by purpose, specific services provided, and the number of individuals served. The reports must be submitted to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget office.

(2) If the law enforcement agency receiving funding under part 1 does not submit all quarterly reports for fiscal year 2022 by

September 30, 2022, the law enforcement agency shall not receive any funding appropriated in part 1 for fiscal year 2023.

(3) If requested by the senate and house of representatives appropriations subcommittees on corrections, the law enforcement agency receiving funding under part 1 shall appear before the subcommittees to discuss the expenditure report required under subsection (1). The subcommittees will work with the law enforcement agency to determine when the meeting will occur.

Sec. 408. (1) From the funds appropriated in part 1, the department shall collaborate with the state court administrative office on facilitating changes to Michigan court rules that would require the court to collect at the time of sentencing the state operator's license, state identification card, or other documentation used to establish the identity of the individual to be admitted to the department. The department shall maintain those documents in the prisoner's personal file.

(2) The department shall cooperate with the department of health and human services to create and maintain a process by which prisoners can obtain their Michigan birth certificates if necessary. The department shall describe a process for obtaining birth certificates from other states, and in situations where the prisoner's effort fails, the department shall assist in obtaining the birth certificate.

(3) The department shall collaborate with the department of military and veterans affairs to create and maintain a process by which prisoners can obtain a copy of their DD Form 214 or other military discharge documentation if necessary.

Sec. 409. From the funds appropriated in part 1 for offender success administration, the department shall collaborate with the

Michigan Restaurant and Lodging Association for job placement for individuals on probation and parole.

Sec. 410. From the funds appropriated in part 1 for the enhanced food technology program, the department shall maintain an enhanced food technology program that provides on-the-job training in prison kitchens that will lead to prisoners earning food service training credentials recognized by the restaurant industry.

Sec. 411. (1) From the funds appropriated in part 1 for offender success programming, the department shall establish medication-assisted treatment offender success programs to provide prerelease treatment and post release referral for opioid-addicted and alcohol-addicted offenders who voluntarily participate in the medication-assisted treatment offender success pilot programs. The department shall collaborate with residential and nonresidential substance abuse treatment providers and with community-based clinics to provide post release treatment. The programs shall employ a multifaceted approach to treatment, including a long-acting nonaddictive medication approved by the Food and Drug Administration for the treatment of opioid and alcohol dependence, counseling, and post release referral to community-based providers.

(2) The manufacturer of a long-acting nonaddictive medication approved by the Food and Drug Administration for opioid and alcohol dependence shall provide the department with samples of the medication, at no cost to the department, during the duration of the medication-assisted treatment offender success pilot programs. Offenders shall receive 1 injection prior to being released from custody and shall be connected with an aftercare plan and assistance with obtaining insurance to cover subsequent injections.

(3) Participants of the programs shall be required to attend

substance abuse treatment programming as directed by their agent, including coordination of both direct or indirect services through federally-qualified health centers in Wayne, Washtenaw, Genesee, Berrien, Van Buren, and Allegan Counties, but not limited to only those counties, shall be subject to routine drug and alcohol testing, shall not be allowed to consume drugs or alcohol, and shall possess a strong will to overcome addiction.

(4) The department shall submit a report by November 1 on the number of offenders who received injections upon release, the number of offenders who received injections and tested positive for drugs or alcohol, the number of offenders who received injections in the community for a duration of at least 3 months, and the number of offenders who received injections and were subsequently returned to prison.

Sec. 412. From the funds appropriated in part 1, the department shall ensure that any inmate with a diagnosed mental illness is referred to a local mental health care provider that is able and willing to treat the inmate upon parole or discharge. The department shall ensure that the provider is informed of the inmate's current treatment plan including any medications that are currently prescribed to the inmate.

Sec. 413. (1) Funds appropriated in part 1 for Goodwill Flip the Script shall be distributed to a Michigan-chartered 501(c)(3) nonprofit corporation operating in a county with greater than 1,500,000 people for administration and expansion of a program that serves a population of individuals aged 16 to 39. The program shall target those who are entering the criminal justice system for the first or second time and shall assist those individuals through the following program types:

(a) Alternative sentencing programs in partnership with a local district or circuit court.

(b) Educational recovery for special adult populations with high rates of illiteracy.

(c) Career development and continuing education for women.

(2) The program selected shall report by March 30 on program performance measurements, the number of individuals diverted from incarceration, the number of individuals served, and outcomes of participants who complete the program.

Sec. 414. From the funds appropriated in part 1, the department shall report by March 1 on academic and vocational programs, including, but not limited to, all of the following:

(a) The number of instructors and the number of instructor vacancies, by program and facility.

(b) The number of prisoners enrolled in each program, the number of prisoners completing each program, the number of prisoners who do not complete each program and are not subsequently reenrolled, and the reason for not completing the program, the number of prisoners transferred to another facility while enrolled in a program and not subsequently reenrolled, the number of prisoners enrolled who are repeating the program, and the number of prisoners on waiting lists for each program, all itemized by facility.

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

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

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

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

(g) The number of prisoners not paroled at their earliest release date due to lack of a high school equivalency and the reason those prisoners have not obtained a high school equivalency.

Sec. 415. From the funds appropriated in part 1, priority may be given to funding reentry or rehabilitation programs that have been demonstrated to reduce prison violence and recidivism, including faith-based initiatives.

FIELD OPERATIONS ADMINISTRATION

Sec. 501. (1) Included in the appropriation in part 1 is adequate funding to implement the curfew monitoring program to be administered by the department. The curfew monitoring program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections advisory boards access to the state's curfew monitoring program to reduce prison admissions and improve local jail utilization.

(2) Any county with curfew monitor charges outstanding over 60 days shall be considered in violation of the community curfew monitor program agreement and lose access to the program.

Sec. 502. (1) Funds appropriated in part 1 for criminal justice reinvestment shall be used only to fund data collection and evidence-based programs designed to reduce recidivism among probationers and parolees.

(2) Of the funds appropriated in part 1 for criminal justice

reinvestment, at least $600,000.00 shall be allocated to an organization that has received a United States Department of Labor training to work 2-adult reentry grant to provide county jail inmates with programming and services to prepare them to get and keep jobs. Examples of eligible programs and services include, but are not limited to: adult education, tutoring, manufacturing skills training, participation in a simulated work environment, mentoring, cognitive therapy groups, life skills classes, substance abuse recovery groups, fatherhood programs, classes in understanding the legal system, family literacy, health and wellness, finance management, employer presentations, and classes on job retention. Programming and support services should begin before release and continue after release from the county jail. To be eligible for funding, an organization must show at least 2 years' worth of data that demonstrate program success.

(3) The department shall report on programs described under this section by March 30. The report shall include the reincarceration recidivism rate of program participants, the employment rate of participants who complete the program, and the cost of the program per participant.

Sec. 503. From the funds appropriated in part 1, the department shall prepare individual reports by March 1 for the residential reentry program, the electronic monitoring program, and the special alternative to incarceration program. Each program's report shall include information on all of the following:

(a) Monthly new participants by type of offender. Residential reentry program participants shall be categorized by reason for placement. For technical rule violators, the report shall sort offenders by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.

(b) Monthly participant unsuccessful terminations, including cause.

(c) Number of successful terminations.

(d) End month population by facility/program.

(e) Average length of placement.

(f) Return to prison statistics.

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

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

(i) Comparison with prior year statistics.

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

Sec. 504. (1) From the funds appropriated in part 1, the department shall review and revise as necessary policy proposals that provide alternatives to prison for offenders being sentenced to prison as a result of technical probation violations and technical parole violations. To the extent the department has insufficient policies or resources to affect the continued increase in prison commitments among these offender populations, the department shall explore other policy options to allow for program alternatives, including department or OCC-funded programs, local level programs, and programs available through private agencies that may be used as prison alternatives for these offenders.

(2) By April 1, the department shall provide a report on the number of all parolees returned to prison and probationers sentenced to prison for either a technical violation or new

sentence during the preceding fiscal year. The report shall include the following information for probationers, for parolees after their first parole, and for parolees who have been paroled more than once:

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

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

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

(d) The number of offenders who participated in the reentry program versus the number of those who did not.

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

Sec. 505. From the funds appropriated in part 1, the department shall submit a report detailing the number of prisoners who have received life imprisonment sentences with the possibility of parole and who are currently eligible for parole by April 30.

Sec. 506. From the funds appropriated in part 1 for the residential alternative to prison program, the department shall provide vocational, educational, and cognitive programming in a secure environment to enhance existing alternative sentencing options, increase employment readiness and successful placement rates, and reduce new criminal behavior for the west Michigan probation violator population. The department shall measure and set the following metric goals:

(a) 85% of participants successfully complete the program.

(b) Of the participants that complete the program, 75% will earn a nationally recognized credential for career and vocational programs.

(c) Of the participants that complete the program, 100% will earn a certificate of completion for cognitive programming.

(d) The prison commitment rate for probation violators will be reduced by 5% within the impacted geographical area after the first year of program operation.

Sec. 507. From the funds appropriated in part 1, the department shall issue quarterly reports for the previous 4 quarters detailing outcomes of prisoners who have been reviewed for parole. The report shall include all of the following:

(a) How many prisoners in each quarter were reviewed.

(b) How many prisoners were granted parole.

(c) How many prisoners were denied parole.

(d) How many parole decisions were deferred.

(e) The distribution of the total number of prisoners reviewed during that quarter grouped by whether the prisoner had been interviewed for the first, second, third, fourth, fifth, sixth, or more than sixth time.

(f) The number of paroles granted, denied, or deferred for each of the parole guideline scores of low, average, and high.

(g) The reason for denying or deferring parole.

HEALTH CARE

Sec. 601. (1) As a condition of expenditure of the funds appropriated in part 1, the department shall provide quarterly reports on physical and mental health care, pharmaceutical services, and durable medical equipment, for prisoners. Reports shall detail quarterly and fiscal year-to-date expenditures itemized by vendor, allocations, status of payments from contractors to vendors, and projected year-end expenditures from accounts. Reports shall include a breakdown of all payments to the integrated care provider and to other providers itemized by physical health care, mental health care, pharmaceutical, and durable medical equipment expenditures.

(2) By April 1, the department shall provide a report on pharmaceutical prescribing practices, including a detailed accounting of expenditures on antipsychotic medications, and any changes that have been made to the prescription drug formularies.

Sec. 602. (1) From the funds appropriated in part 1, the department shall assure that all prisoners, upon any health care treatment funded from appropriations in part 1, are given the opportunity to sign a release of information form designating a family member or other individual to whom the department shall release records information regarding a prisoner. A release of information form signed by a prisoner shall remain in effect for 1 year, and the prisoner may elect to withdraw or amend the release form at any time.

(2) The department shall assure that any such signed release forms follow a prisoner upon transfer to another department facility or to the supervision of a parole officer.

(3) The form shall be placed online, on a public website managed by the department.

Sec. 603. From the funds appropriated in part 1, the department shall report quarterly on prisoner health care utilization. The report shall include the number of inpatient hospital days, outpatient visits, emergency room visits, and prisoners receiving off-site inpatient medical care in the previous quarter, by facility.

Sec. 604. (1) Funds appropriated in part 1 for Hepatitis C treatment shall be used only to purchase specialty medication for Hepatitis C treatment in the prison population. In addition to the above appropriation, any rebates received from the medications used shall be used only to purchase specialty medication for Hepatitis C treatment. On a quarterly basis, the department shall issue a report showing for the previous 4 quarters the total amount spent on specialty medication for the treatment of Hepatitis C, the number of prisoners who were treated, the amount of any rebates that were received from the purchase of specialty medication, and what outstanding rebates are expected to be received.

(2) The report shall also include the number of offenders requiring retreatment for Hepatitis C, broken down by the number of those who have been retreated while incarcerated and the number of those treated and released and then retreated upon reincarceration.

Sec. 605. (1) From the funds appropriated in part 1, the department shall provide the department of health and human services with a monthly list of prisoners newly committed to the department of corrections. The department and the department of health and human services shall enter into an interagency agreement under which the department of health and human services provides the department of corrections with monthly lists of newly committed prisoners who are eligible for Medicaid benefits in order to maintain the process by which Medicaid benefits are suspended rather than terminated. The department shall assist prisoners who may be eligible for Medicaid benefits after release from prison with the Medicaid enrollment process prior to release from prison.

(2) The department shall provide quarterly updates on the utilization of Medicaid benefits for prisoners.

Sec. 606. By March 1, the department shall report on the number of prisoners who received medication assisted therapies, the length of time on therapies, and the number of prisoners who have discontinued treatment while incarcerated.

Sec. 607. Funds appropriated in part 1 must not be used by the department for any costs associated with gender reassignment surgery for any prisoner of this state.

CORRECTIONAL FACILITIES AND ADMINISTRATION

Sec. 701. (1) From the funds appropriated in part 1, the department shall report on the department's plans to eliminate programming for prisoners. The report shall be provided at least 30 days prior to program elimination.

(2) As used in this section, "programming for prisoners" means a department core program or career and technical education program funded in part 1.

Sec. 702. From the funds appropriated in part 1 for prison food service, the department shall report biannually on the following:

(a) Average per-meal cost for prisoner food service. Per-meal cost shall include all costs directly related to the provision of food for the prisoner population, and shall include, but not be limited to, actual food costs, total compensation for all food service workers, including benefits and legacy costs, and inspection and compliance costs for food service.

(b) Food service-related contracts, including goods or services to be provided and the vendor.

(c) Major sanitation violations.

Sec. 703. From the funds appropriated in part 1, the department shall calculate the cost per prisoner per day for each security custody level. This calculation shall include all actual direct and indirect costs for the previous fiscal year. To calculate the cost per prisoner per day, the department shall divide the prisoner-related costs by the total number of prisoner days for each custody level and correctional facility. For multilevel facilities, costs that cannot be accurately allocated to each custody level can be included in the calculation on a per-prisoner basis for each facility. A report summarizing these calculations shall be submitted not later than January 15. Prisoner-related costs included in the cost per prisoner per day calculation shall include all expenditures for the following, from all fund sources:

(a) New custody staff training.

(b) Prison industries operations.

(c) Education/skilled trades/career readiness programs.

(d) Enhanced food technology program.

(e) Offender success programming.

(f) Central records.

(g) Correctional facilities administration.

(h) Housing inmates in federal institutions.

(i) Inmate legal services.

(j) Leased beds and alternatives to leased beds.

(k) Prison food service.

(*l*) Prison store operations.

(m) Transportation.

(n) Health care.

(o) Correctional facilities.

(p) Northern and southern region administration and support.

Sec. 704. Any local unit of government or private nonprofit organization that contracts with the department for public works services shall be responsible for financing the entire cost of such an agreement.

Sec. 705. The department shall allow the Michigan Braille transcribing fund program to operate at designated locations. The department shall continue to encourage the Michigan Braille transcribing fund program to produce high-quality materials for use by the visually impaired.

Sec. 706. (1) From the funds appropriated in part 1, the department shall report as follows:

(a) Within 72 hours of occurrence, any critical incident occurring at a correctional facility.

(b) By March 1, the number of critical incidents occurring each month at each facility during the immediately preceding calendar year, categorized by type and severity of each incident.

(2) As used in this section, "critical incident" includes a prisoner assault on staff that results in a serious physical injury

to staff, an escape or attempted escape, a prisoner disturbance that causes facility operation concerns, and an unexpected death of a prisoner.

Sec. 707. From the funds appropriated in part 1, the department shall report quarterly on the ratio of correctional officers to prisoners for each correctional institution, the ratio of shift command staff to line custody staff, and the ratio of noncustody institutional staff to prisoners for each correctional facility.

Sec. 708. (1) From the funds appropriated in part 1, the department shall focus on providing required programming to prisoners who are past their earliest release date because of not having received the required programming. Programming includes, but is not limited to, violence prevention programming, assaultive offender programming, sexual offender programming, substance abuse treatment programming, thinking for a change programming, and any other programming that is required as a condition of parole.

(2) It is the intent of the legislature that any prisoner required to complete a violence prevention program, sexual offender program, or other program as a condition of parole shall be placed on a waiting list for the appropriate programming upon entrance to prison and transferred to a facility where that program is available in order to accomplish timely completion of that program prior to the expiration of his or her minimum sentence and eligibility for parole. To the extent feasible, the department shall consistently provide prisoner programming with the goal of having prisoners complete recommended cognitive programming as early as possible during the prisoner's sentence to impact the prisoner's behavior while incarcerated. Nothing in this section

should be deemed to make parole denial appealable in court.

(3) The department shall submit a quarterly report detailing enrollment in sex offender programming, assaultive offender programming, violent offender programming, and thinking for a change programming. At a minimum, the report shall include the following:

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

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

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

Sec. 709. If a female prisoner in a facility funded from appropriations in part 1 consents to a visitor being present, the department shall allow that 1 person to be present during the prisoner's labor and delivery. The person allowed to accompany the prisoner must be an immediate family member, legal guardian, spouse, or domestic partner. The department is authorized to deny access to a visitor if the department has a safety concern with that visitor's access. The department is authorized to conduct a criminal background check on a visitor.

Sec. 710. From the funds appropriated in part 1, the department shall evaluate all prisoners at intake for substance abuse disorders, serious developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness or serious developmental disorders shall not be removed from the general population as a punitive response to behavior caused by their serious mental illness or serious developmental disorder. Due to persistent high violence risk or severe disruptive behavior that is unresponsive to treatment, prisoners with serious mental illness or serious developmental disorders may be placed in secure residential housing programs that will facilitate access to institutional programming and ongoing mental health services funded from appropriations in part 1. A prisoner with serious mental illness or serious developmental disorder who is confined in these specialized housing programs shall be evaluated or monitored by a medical professional at a frequency of not less than every 12 hours.

Sec. 711. From the funds appropriated in part 1, the department shall report by March 1 on the annual number of prisoners during the prior fiscal year in administrative segregation and, of those, the number who at any time during the current or prior prison term were diagnosed with serious mental illness or have a developmental disorder and the number of days each of the prisoners with serious mental illness or a developmental disorder have been confined to administrative segregation.

Sec. 712. From the funds appropriated in part 1, the department shall do all of the following:

(a) Ensure that any inmate care and control staff in contact with prisoners less than 18 years of age are adequately trained with regard to the developmental and mental health needs of prisoners less than 18 years of age. By April 1, the department shall report on the training curriculum used and the number and types of staff receiving annual training under that curriculum.

(b) Provide appropriate placement for prisoners less than 18 years of age who have serious mental illness, serious emotional disturbance, or a serious developmental disorder and need to be housed separately from the general population. Prisoners less than 18 years of age who have serious mental illness, serious emotional disturbance, or a serious developmental disorder shall not be removed from an existing placement as a punitive response to behavior caused by their serious mental illness, serious emotional disturbance, or a serious developmental disorder. Due to persistent high violence risk or severe disruptive behavior that is unresponsive to treatment, prisoners less than 18 years of age with serious emotional disturbance, serious mental illness, or serious developmental disorders may be placed in secure residential housing programs that will facilitate access to institutional programming and ongoing mental health services. A prisoner less than 18 years of age with serious mental illness, serious emotional disturbance, or a serious developmental disorder who is confined in these specialized housing programs shall be evaluated or monitored by a medical professional at a frequency of not less than every 12 hours.

(c) Implement a specialized offender success program that recognizes the needs of prisoners less than 18 years old for supervised offender success.

Sec. 713. From the funds appropriated in part 1, the department shall submit a quarterly report on the number of youth in prison. The report shall include, but not be limited to, the following information:

(a) The total number of inmates under age 18 who are not on Holmes youthful trainee act status.

(b) The total number of inmates under age 18 who are on Holmes youthful trainee act status.

(c) The total number of inmates aged 18 to 23 who are on Holmes youthful trainee act status.

Sec. 714. (1) Any lease, rental, contract, or other legal agreement that includes a provision allowing a private person or entity to use state-owned facilities or other property to conduct a for-profit business enterprise shall require the lessee to pay fair market value for the use of the state-owned property.

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

Sec. 715. The department shall ensure that any contract, funded from appropriations in part 1, with a public or private party to operate a facility to house state prisoners includes a provision to allow access by both the office of the legislative auditor general and the office of the legislative corrections ombudsman to the facility and to appropriate records and documents related to the operation of the facility. These access rights for both offices shall be the same for the contracted facility as for a general state-operated correctional facility.

Sec. 716. From the funds appropriated in part 1, the department shall submit a report by May 1 on the actual and projected savings achieved by closing correctional facilities. Savings amounts shall be itemized by facility. Information required by this section shall start with the closure of the Pugsley Correctional Facility, which closed in September of 2016, and shall continue for each facility closed thereafter.

Sec. 717. When the department is planning to close a correctional facility, the department shall fully consider the potential economic impact of the prison closure on the community where the facility is located. The department, when weighing all factors related to the closure of a facility, shall also consider the impact on the local community where the facility to be closed is located.

Sec. 718. From the funds appropriated in part 1, the department shall report on the department's plans to close, consolidate, or relocate any correctional facility in the state. The report shall be provided at least 30 days prior to effective date of closure, consolidation, or relocation.

Sec. 719. The department shall consult with the legislature and other appropriate state agencies to develop a framework to provide investment in communities that have formerly operational state correctional facilities that have been closed. This framework shall include plans to ensure that vacant state correctional facilities do not become a nuisance or danger to the community.

Sec. 720. From the funds appropriated in part 1, the department shall make an information packet for the families of incoming prisoners available on the department's website. The information packet shall be reviewed by February 1 and updated as necessary. The packet shall provide information on topics including, but not limited to: how to put money into prisoner accounts, how to make phone calls or create Jpay email accounts, how to visit in person, proper procedures for filing complaints or grievances, the rights of prisoners to physical and mental health care, how to utilize the offender tracking information system (OTIS), truth-in-sentencing and how it applies to minimum sentences, the parole process, and guidance on the importance of the role of families in the reentry process. The department may partner with external advocacy groups and actual families of prisoners in the packet-writing process to ensure that the information is useful and complete.

Sec. 721. The department may accept in-kind services and equipment donations to facilitate the addition of a cable network that provides programming that will address the religious needs of incarcerated individuals. This network may be a cable television network that presently reaches the majority of households in the United States. A bilingual channel affiliated with this network may also be added to department programming to assist the religious needs of Spanish-speaking inmates. The addition of these channels shall be at no additional cost to this state.

ONE-TIME APPROPRIATIONS

Sec. 801. (1) It is the intent of the legislature that funds appropriated in part 1 for ARP - corrections officer college are to be used by the department to pay for up to 15 college credit hours for current corrections officers and new hires that have not completed college coursework required for employment with the department. The civil service commission must approve a letter of understanding between the office of the state employer and the Michigan corrections organization that specifies the terms of the agreement to pay for up to 15 college credit hours for new and current corrections officers.

(2) The unexpended funds appropriated in part 1 for ARP - corrections officer college are designated as a work project appropriation. Unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures

under this section until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to pay for up to 15 college credit hours for current corrections officers and new hires that have not completed college coursework required for employment with the department.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or local partners.

(c) The estimated cost of the project is $5,000,000.00.

(d) The tentative completion date is September 30, 2027.

Sec. 802. (1) It is the intent of the legislature that funds appropriated in part 1 for ARP - corrections officer signing bonuses are to be used by the department to grant up to $5,000.00 signing bonuses for new corrections officers. The department must expend a minimum of 50% of the signing bonuses in the first month of employment. The remaining percentage must be paid if the corrections officer continues employment with the department for at least 12 months. The civil service commission must approve a letter of understanding between the office of the state employer and the Michigan corrections organization that specifies the terms of the agreement to grant signing bonuses for new corrections officers.

(2) The unexpended funds appropriated in part 1 for ARP - corrections officer signing bonuses are designated as a work project appropriation. Unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures under this section until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to grant signing bonuses for new corrections officers.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or local partners.

(c) The estimated cost of the project is $2,500,000.00.

(d) The tentative completion date is September 30, 2027.

Sec. 803. (1) Funds appropriated in part 1 for absconder tracking must be used by the department to create a fund that can be used by the department for expenses incurred for investigating, locating, and arresting prisoner escapees and parole and probation violators.

(2) From the funds appropriated in part 1, the department must report detailed expenditure data quarterly.

(3) The unexpended funds appropriated in part 1 for absconder tracking are designated as a work project appropriation. Unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures under this section until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is for the department to cover expenses incurred for investigating, locating, and arresting prisoner escapees and parole and probation violators.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or local partners.

(c) The estimated cost of the project is $1,000,000.00.

(d) The tentative completion date is September 30, 2027.

Sec. 804. (1) Funds appropriated in part 1 for Chance for Life shall be allocated to an organization that provides prison-based rehabilitation programming including educational, life skills, and behavioral modification programs. The objective of programming is to offer a progressive transformational program to individuals while they are in prison, in an effort to prepare them for a successful transition back into the community. The department shall select an organization that meets all of the following to provide the programming under this section:

(a) Has the purpose to increase community safety by reducing recidivism through providing evidence-based mentoring, employment soft skills training, job placement assistance, and critical thinking skills, mediation, and conflict resolution training.

(b) Has experience offering programs to male and female prison populations in correctional facilities in this state.

(c) Has been offering programs for 20 consecutive years and has been offering programs in at least 5 correctional facilities in this state.

(d) Has experience with and offers programming that includes the family in the reentry process using the family group decision-making for reintegration model, which focuses on 7 factors as a basis for successful family reintegration.

(e) Has experience with and offers programming that utilizes techniques to address post-prison adjustment disorders.

(2) The program shall submit a report by October 15, 2022 that details all program expenditures for the 2022 fiscal year, including performance measurements and outcomes, and the total number of prisoners served. The program shall submit a report by September 30, 2023 that details all program expenditures for the 2023 fiscal year, including performance measurements and outcomes, and the total number of prisoners served.

Sec. 805. (1) It is the intent of the legislature that funds appropriated in part 1 for corrections officer retention bonuses be used by the department to grant up to $5,000.00 retention bonuses for current corrections officers. The civil service commission must approve a letter of understanding between the office of the state employer and the Michigan corrections organization that specifies the terms of the agreement to grant retention bonuses for current corrections officers.

(2) The unexpended funds appropriated in part 1 for corrections officer retention bonuses are designated as a work project appropriation. Unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures under this section until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to grant retention bonuses for current corrections officers.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or local partners.

(c) The estimated cost of the project is $30,000,000.00.

(d) The tentative completion date is September 30, 2027.

Sec. 806. (1) Funds appropriated in part 1 for specialized electronic monitoring pilot program must be administered by a county's director of community corrections in conjunction with an electronic monitoring solutions company that has at least 10 years of experience in the industry, provides 24 hours a day monitoring, has a service and monitoring center located in this state, uses the same GPS tethers as the Michigan department of corrections, Attenti At1 GPS tethers, BI TAD continuous alcohol monitoring tethers, SL3, or Interlock, and can provide the necessary software and training in a county with a population of between 1,000,000 and 1,400,000 according to the most recent federal decennial census.

(2) The unexpended funds appropriated in part 1 for specialized electronic monitoring pilot program are designated as a work project appropriation. Unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures under this section until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to pilot a new electronic monitoring program in a county with a population of between 1,000,000 and 1,400,000 according to the most recent federal decennial census.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or local partners.

(c) The estimated cost of the project is $2,000,000.00.

(d) The tentative completion date is September 30, 2027.

Sec. 807. Funds appropriated in part 1 from the federal American rescue plan act of 2021, Public Law 117-2, must be allocated and expended in a manner consistent with federal rules and regulations.