



# HOUSE BILL No. 6167

November 28, 2000, Introduced by Rep. Ruth Johnson and referred to the Committee on Criminal Law and Corrections.

A bill to create drunk driver detention centers; and to provide for the powers and duties of certain state officers and agencies.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. This act shall be known and may be cited as the  
2 "drunk driver detention center act".

3       Sec. 2. As used in this act:

4       (a) "Convicted drunk driver" means a person convicted of a  
5 violation of section 625(1) of the Michigan vehicle code, 1949 PA  
6 300, MCL 257.625, punishable under section 625(8)(c) of that  
7 act.

8       (b) "Department" means the department of corrections.

9       (c) "Detention center" means a drunk driver detention  
10 center.

1       Sec. 3. The department shall establish and operate, or  
2 shall contract with a private vendor for the establishment and  
3 operation of, 1 or more drunk driver detention centers for the  
4 purpose of housing and training convicted drunk drivers committed  
5 to a detention center as a condition of probation pursuant to  
6 section 3d of chapter XI of the code of criminal procedure, 1927  
7 PA 175, MCL 771.3d. A convicted drunk driver who is placed in a  
8 detention center by a court shall be transported by the county  
9 sheriff directly to a unit and shall not be processed through the  
10 department's reception center for prisoners. A convicted drunk  
11 driver may be transferred from 1 detention center to another  
12 detention center at the discretion of the department or the pri-  
13 vate vendor operating the detention centers, during the  
14 probationer's incarceration in a detention center.

15       Sec. 4. (1) Each detention center shall provide both of the  
16 following:

17       (a) A program of physically strenuous work and exercise,  
18 patterned after military basic training, and other compatible  
19 programming as determined by the department.

20       (b) Treatment and rehabilitative services appropriate for  
21 convicted drunk drivers, including treatment and rehabilitative  
22 services for alcoholism.

23       (2) The term of any convicted drunk driver's incarceration  
24 in a detention center shall be at least 90 days but not more than  
25 1 year.

26       Sec. 5. At any time during a convicted drunk driver's  
27 incarceration in a detention center, but not less than 5 days

1 before the convicted drunk driver's expected date of release, the  
2 department or the private vendor shall certify to the sentencing  
3 court as to whether the convicted drunk driver has satisfactorily  
4 completed the course of training at the detention center.

5       Sec. 6. A convicted drunk driver who fails to work dili-  
6 gently and productively at the program of the detention center,  
7 or who fails to obey the rules of behavior established for the  
8 detention center, may be reported to the sentencing court for  
9 possible revocation of probation and may be housed in a county  
10 jail while awaiting a probation revocation determination.

11       Enacting section 1. This act does not take effect unless  
12 all of the following bills of the 90th Legislature are enacted  
13 into law:

14       (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 6168 (request  
15 no. 06702'00 a).

16       (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 6169 (request  
17 no. 06702'00 b).