

HOUSE BILL No. 4102

January 26, 2017, Introduced by Reps. Lucido, VerHeulen, Pagel, Garcia, Victory, LaGrand, Howrylak, Chang, Schor, Robinson, Ellison, Love, Whiteford, Wittenberg, Calley, Rabhi and Lilly and referred to the Committee on Appropriations.

A bill to amend 1953 PA 232, entitled
"Corrections code of 1953,"
by amending sections 33, 33b, and 34 (MCL 791.233, 791.233b, and 791.234), section 33 as amended by 1998 PA 320, section 33b as amended by 2010 PA 94, and section 34 as amended by 2016 PA 354.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 33. (1) The grant of a parole is subject to all of the
2 following:

3 (a) A prisoner ~~shall~~**MUST** not be given liberty on parole until
4 the board has reasonable assurance, after consideration of all of
5 the facts and circumstances, including the prisoner's mental and
6 social attitude, that the prisoner will not become a menace to
7 society or to the public safety.

8 (b) Except as provided in section 34a **AND SECTION 35(10)**, a

1 parole ~~shall~~**MUST** not be granted to a prisoner other than a
2 prisoner subject to disciplinary time until the prisoner has served
3 the minimum term imposed by the court less allowances for good time
4 or special good time to which the prisoner may be entitled by
5 statute, except that a prisoner other than a prisoner subject to
6 disciplinary time is eligible for parole before the expiration of
7 his or her minimum term of imprisonment whenever the sentencing
8 judge, or the judge's successor in office, gives written approval
9 of the parole of the prisoner before the expiration of the minimum
10 term of imprisonment.

11 (c) Except as provided in section 34a **AND SECTION 35(10)**, and
12 notwithstanding the provisions of subdivision (b), a parole ~~shall~~
13 **MUST** not be granted to a prisoner other than a prisoner subject to
14 disciplinary time sentenced for the commission of a crime described
15 in section 33b(a) to (cc) until the prisoner has served the minimum
16 term imposed by the court less an allowance for disciplinary
17 credits as provided in section 33(5) of 1893 PA 118, MCL 800.33. A
18 prisoner described in this subdivision is not eligible for special
19 parole.

20 (d) Except as provided in section 34a **AND SECTION 35(10)**, a
21 parole ~~shall~~**MUST** not be granted to a prisoner subject to
22 disciplinary time until the prisoner has served the minimum term
23 imposed by the court.

24 (e) A prisoner ~~shall~~**MUST** not be released on parole until the
25 parole board has satisfactory evidence that arrangements have been
26 made for such honorable and useful employment as the prisoner is
27 capable of performing, for the prisoner's education, or for the

1 prisoner's care if the prisoner is mentally or physically ill or
2 incapacitated.

3 (f) A ~~EXCEPT AS PROVIDED IN SECTION 35(10)~~, A prisoner whose
4 minimum term of imprisonment is 2 years or more ~~shall~~ **MUST** not be
5 released on parole unless he or she has either earned a high school
6 diploma or earned its equivalent in the form of a general education
7 development (GED) certificate. The director of the department may
8 waive the restriction imposed by this subdivision as to any
9 prisoner who is over the age of 65 or who was gainfully employed
10 immediately before committing the crime for which he or she was
11 incarcerated. The department ~~of corrections~~ may also waive the
12 restriction imposed by this subdivision as to any prisoner who has
13 a learning disability, who does not have the necessary proficiency
14 in English, or who for some other reason that is not the fault of
15 the prisoner is unable to successfully complete the requirements
16 for a high school diploma or a general education development
17 certificate. If the prisoner does not have the necessary
18 proficiency in English, the department ~~of corrections~~ shall provide
19 English language training for that prisoner necessary for the
20 prisoner to begin working toward the completion of the requirements
21 for a general education development certificate. This subdivision
22 applies to prisoners sentenced for crimes committed after December
23 15, 1998. In providing an educational program leading to a high
24 school degree or general education development certificate, the
25 department shall give priority to prisoners sentenced for crimes
26 committed on or before December 15, 1998.

27 (2) Paroles-in-custody to answer warrants filed by local or

1 out-of-state agencies, or immigration officials, are permissible if
 2 an accredited agent of the agency filing the warrant calls for the
 3 prisoner to be paroled in custody.

4 (3) ~~Pursuant to the administrative procedures act of 1969,~~
 5 ~~1969 PA 306, MCL 24.201 to 24.328, the~~ **THE** parole board may
 6 promulgate rules **UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969,**
 7 **1969 PA 306, MCL 24.201 TO 24.328, THAT ARE** not inconsistent with
 8 this act with respect to conditions to be imposed upon prisoners
 9 paroled under this act.

10 Sec. 33b. ~~A~~ **EXCEPT FOR A PRISONER GRANTED PAROLE UNDER SECTION**
 11 **35(10), A** person convicted and sentenced for the commission of any
 12 of the following crimes other than a prisoner subject to
 13 disciplinary time is not eligible for parole until the person has
 14 served the minimum term imposed by the court less an allowance for
 15 disciplinary credits as provided in section 33(5) of 1893 PA 118,
 16 MCL 800.33, and is not eligible for special parole:

17 (a) Section 13 of the Michigan penal code, 1931 PA 328, MCL
 18 750.13.

19 (b) Section 14 of the Michigan penal code, 1931 PA 328, MCL
 20 750.14.

21 (c) Section 72, 73, or 75 of the Michigan penal code, 1931 PA
 22 328, MCL 750.72, 750.73, and 750.75.

23 (d) Section ~~80,~~ 82, 83, 84, 86, 87, 88, 89, or 90 of the
 24 Michigan penal code, 1931 PA 328, MCL ~~750.80,~~ 750.82, 750.83,
 25 750.84, 750.86, 750.87, 750.88, 750.89, and 750.90, or former
 26 section ~~85~~ **80** of that act.

27 (e) Section 91 or 92 of the Michigan penal code, 1931 PA 328,

1 MCL 750.91 and 750.92.

2 (f) Section 110, 112, or 116 of the Michigan penal code, 1931
3 PA 328, MCL 750.110, 750.112, and 750.116.

4 (g) Section 135 ~~OR 136b(2) or 136b(3)~~ **OR (3)** of the
5 Michigan penal code, 1931 PA 328, MCL 750.135 and 750.136b, or
6 former section 136a of that act.

7 (h) Section 158 of the Michigan penal code, 1931 PA 328, MCL
8 750.158.

9 (i) Section 160 of the Michigan penal code, 1931 PA 328, MCL
10 750.160.

11 (j) Former section 171 of the Michigan penal code, 1931 PA
12 328.

13 (k) Section 196 of the Michigan penal code, 1931 PA 328, MCL
14 750.196, or former section 194 of that act.

15 (l) Section 204, 207, 209, or 213 of the Michigan penal code,
16 1931 PA 328, MCL 750.204, 750.207, 750.209, and 750.213, or former
17 section 205, 206 or 208 of that act.

18 (m) Section 224, 226, or 227 of the Michigan penal code, 1931
19 PA 328, MCL 750.224, 750.226, and 750.227.

20 (n) Section 316, 317, 319, 321, 322, 323, 327, 328, or 329 of
21 the Michigan penal code, 1931 PA 328, MCL 750.316, 750.317,
22 750.319, 750.321, 750.322, 750.323, 750.327, 750.328, and 750.329.

23 (o) Former section 333 of the Michigan penal code, 1931 PA
24 328.

25 (p) Section 338, 338a, or 338b of the Michigan penal code,
26 1931 PA 328, MCL 750.338, 750.338a, and 750.338b, or former section
27 341 of that act.

(q) Section 349, 349a, or 350 of the Michigan penal code, 1931 PA 328, MCL 750.349, 750.349a, and 750.350.

(r) Section 357 of the Michigan penal code, 1931 PA 328, MCL 750.357.

(s) Section 386 or 392 of the Michigan penal code, 1931 PA 328, MCL 750.386 and 750.392.

(t) Section 397 or 397a of the Michigan penal code, 1931 PA 328, MCL 750.397 and 750.397a.

(u) Section 436 of the Michigan penal code, 1931 PA 328, MCL 750.436.

(v) Section 511 of the Michigan penal code, 1931 PA 328, MCL 750.511, or former section 517 of that act.

(w) Section 520b, 520c, 520d, or 520g of the Michigan penal code, 1931 PA 382, MCL 750.520b, 750.520c, 750.520d, and 750.520g.

(x) Section 529, 529a, 530, or 531 of the Michigan penal code, 1931 PA 328, MCL 750.529, 750.529a, 750.530, and 750.531.

(y) Section 544 of the Michigan penal code, 1931 PA 328, MCL 750.544, or former section 545a of that act.

(z) Former section 2 of 1950 (Ex Sess) PA 38.

(aa) Former section 6 of 1952 PA 117.

(bb) Section 1, 2, or 3 of 1968 PA 302, MCL 752.541, 752.542, and 752.543.

(cc) Section 7401(2)(a) ~~, 7401(2)(b), OR (B) OR 7402(2)(a) or 7402(2)(b) OR (B)~~ of the public health code, 1978 PA 368, MCL 333.7401 and 333.7402.

Sec. 34. (1) Except **FOR A PRISONER GRANTED PAROLE UNDER SECTION 35(10) OR** as provided in section 34a, a prisoner sentenced

1 to an indeterminate sentence and confined in a state correctional
2 facility with a minimum in terms of years other than a prisoner
3 subject to disciplinary time is subject to the jurisdiction of the
4 parole board when the prisoner has served a period of time equal to
5 the minimum sentence imposed by the court for the crime of which he
6 or she was convicted, less good time and disciplinary credits, if
7 applicable.

8 (2) Except **FOR A PRISONER GRANTED PAROLE UNDER SECTION 35(10)**
9 **OR** as provided in section 34a, a prisoner subject to disciplinary
10 time sentenced to an indeterminate sentence and confined in a state
11 correctional facility with a minimum in terms of years is subject
12 to the jurisdiction of the parole board when the prisoner has
13 served a period of time equal to the minimum sentence imposed by
14 the court for the crime of which he or she was convicted.

15 (3) ~~If~~ **EXCEPT FOR A PRISONER GRANTED PAROLE UNDER SECTION**
16 **35(10), IF** a prisoner other than a prisoner subject to disciplinary
17 time is sentenced for consecutive terms, whether received at the
18 same time or at any time during the life of the original sentence,
19 the parole board has jurisdiction over the prisoner for purposes of
20 parole when the prisoner has served the total time of the added
21 minimum terms, less the good time and disciplinary credits allowed
22 by statute. The maximum terms of the sentences ~~shall~~ **MUST** be added
23 to compute the new maximum term under this subsection, and
24 discharge ~~shall~~ **MUST** be issued only after the total of the maximum
25 sentences has been served less good time and disciplinary credits,
26 unless the prisoner is paroled and discharged upon satisfactory
27 completion of the parole.

1 (4) ~~IF~~ **EXCEPT FOR A PRISONER GRANTED PAROLE UNDER SECTION**
 2 **35(10)**, **IF** a prisoner subject to disciplinary time is sentenced for
 3 consecutive terms, whether received at the same time or at any time
 4 during the life of the original sentence, the parole board has
 5 jurisdiction over the prisoner for purposes of parole when the
 6 prisoner has served the total time of the added minimum terms. The
 7 maximum terms of the sentences ~~shall~~ **MUST** be added to compute the
 8 new maximum term under this subsection, and discharge ~~shall~~ **MUST** be
 9 issued only after the total of the maximum sentences has been
 10 served, unless the prisoner is paroled and discharged upon
 11 satisfactory completion of the parole.

12 (5) If a prisoner other than a prisoner subject to
 13 disciplinary time has 1 or more consecutive terms remaining to
 14 serve in addition to the term he or she is serving, the parole
 15 board may terminate the sentence the prisoner is presently serving
 16 at any time after the minimum term of the sentence has been served.

17 (6) A prisoner sentenced to imprisonment for life for any of
 18 the following is ~~not~~ eligible for parole **UNDER SECTION 35(10) ONLY**
 19 and is ~~instead~~ **OTHERWISE** subject to the provisions of section 44:

20 (a) First degree murder in violation of section 316 of the
 21 Michigan penal code, 1931 PA 328, MCL 750.316.

22 (b) A violation of section 16(5) or 18(7) of the Michigan
 23 penal code, 1931 PA 328, MCL 750.16 and 750.18.

24 (c) A violation of chapter XXXIII of the Michigan penal code,
 25 1931 PA 328, MCL 750.200 to 750.212a.

26 (d) A violation of section 17764(7) of the public health code,
 27 1978 PA 368, MCL 333.17764.

1 (e) First degree criminal sexual conduct in violation of
2 section 520b(2)(c) of the Michigan penal code, 1931 PA 328, MCL
3 750.520b.

4 (f) Any other violation for which parole eligibility is
5 expressly denied under state law.

6 (7) A—**EXCEPT FOR A PRISONER GRANTED PAROLE UNDER SECTION**
7 **35(10)**, A prisoner sentenced to imprisonment for life, other than a
8 prisoner described in subsection (6), is subject to the
9 jurisdiction of the parole board and may be placed on parole
10 according to the conditions prescribed in subsection (8) if he or
11 she meets any of the following criteria:

12 (a) Except as provided in subdivision (b) or (c), the prisoner
13 has served 10 calendar years of the sentence for a crime committed
14 before October 1, 1992 or 15 calendar years of the sentence for a
15 crime committed on or after October 1, 1992.

16 (b) Except as provided in subsection (12), the prisoner has
17 served 20 calendar years of a sentence for violating, or attempting
18 or conspiring to violate, section 7401(2)(a)(i) of the public
19 health code, 1978 PA 368, MCL 333.7401, and has another conviction
20 for a serious crime.

21 (c) Except as provided in subsection (12), the prisoner has
22 served 17-1/2 calendar years of the sentence for violating, or
23 attempting or conspiring to violate, section 7401(2)(a)(i) of the
24 public health code, 1978 PA 368, MCL 333.7401, and does not have
25 another conviction for a serious crime.

26 (8) A parole granted to a prisoner under subsection (7) is
27 subject to the following conditions:

1 (a) At the conclusion of 10 calendar years of the prisoner's
2 sentence and thereafter as determined by the parole board until the
3 prisoner is paroled, discharged, or deceased, and in accordance
4 with the procedures described in subsection (9), 1 member of the
5 parole board shall interview the prisoner. The interview schedule
6 prescribed in this subdivision applies to all prisoners to whom
7 subsection (7) applies, regardless of the date on which they were
8 sentenced.

9 (b) In addition to the interview schedule prescribed in
10 subdivision (a), the parole board shall review the prisoner's file
11 at the conclusion of 15 calendar years of the prisoner's sentence
12 and every 5 years thereafter until the prisoner is paroled,
13 discharged, or deceased. A prisoner whose file is to be reviewed
14 under this subdivision ~~shall~~**MUST** be notified of the upcoming file
15 review at least 30 days before the file review takes place and
16 shall be allowed to submit written statements or documentary
17 evidence for the parole board's consideration in conducting the
18 file review.

19 (c) A decision to grant or deny parole to the prisoner ~~shall~~
20 **MUST** not be made until after a public hearing held in the manner
21 prescribed for pardons and commutations in sections 44 and 45.
22 Notice of the public hearing ~~shall~~**MUST** be given to the sentencing
23 judge, or the judge's successor in office. Parole ~~shall~~**MUST** not be
24 granted if the sentencing judge files written objections to the
25 granting of the parole within 30 days of receipt of the notice of
26 hearing, but the sentencing judge's written objections ~~shall~~ bar
27 **THE GRANTING OF** parole only if the sentencing judge is still in

1 office in the court before which the prisoner was convicted and
2 sentenced. A sentencing judge's successor in office may file
3 written objections to the granting of parole, but a successor
4 judge's objections ~~shall~~**MUST** not bar the granting of parole under
5 subsection (7). If written objections are filed by either the
6 sentencing judge or the judge's successor in office, they ~~shall~~
7 **MUST** be made part of the prisoner's file.

8 (d) A parole granted under subsection (7) ~~shall~~**MUST** be for a
9 period of not less than 4 years and subject to the usual rules
10 pertaining to paroles granted by the parole board. A parole granted
11 under subsection (7) is not valid until the transcript of the
12 record is filed with the attorney general whose certification of
13 receipt of the transcript ~~shall~~**MUST** be returned to the office of
14 the parole board within 5 days. Except for medical records
15 protected under section 2157 of the revised judicature act of 1961,
16 1961 PA 236, MCL 600.2157, the file of a prisoner granted a parole
17 under subsection (7) is a public record.

18 (9) An interview conducted under subsection (8)(a) is subject
19 to both of the following requirements:

20 (a) The prisoner ~~shall~~**MUST** be given written notice, not less
21 than 30 days before the interview date, stating that the interview
22 will be conducted.

23 (b) The prisoner may be represented at the interview by an
24 individual of his or her choice. The representative ~~shall~~**MUST** not
25 be another prisoner. A prisoner is not entitled to appointed
26 counsel at public expense. The prisoner or representative may
27 present relevant evidence in favor of holding a public hearing as

1 allowed in subsection (8) (c).

2 (10) In determining whether a prisoner convicted of violating,
3 or attempting or conspiring to violate, section 7401(2) (a) (i) of
4 the public health code, 1978 PA 368, MCL 333.7401, and sentenced to
5 imprisonment for life before October 1, 1998 is to be released on
6 parole, the parole board shall consider all of the following:

7 (a) Whether the violation was part of a continuing series of
8 violations of section 7401 or 7403 of the public health code, 1978
9 PA 368, MCL 333.7401 and 333.7403, by that individual.

10 (b) Whether the violation was committed by the individual in
11 concert with 5 or more other individuals.

12 (c) Any of the following:

13 (i) Whether the individual was a principal administrator,
14 organizer, or leader of an entity that the individual knew or had
15 reason to know was organized, in whole or in part, to commit
16 violations of section 7401 or 7403 of the public health code, 1978
17 PA 368, MCL 333.7401 and 333.7403, and whether the violation for
18 which the individual was convicted was committed to further the
19 interests of that entity.

20 (ii) Whether the individual was a principal administrator,
21 organizer, or leader of an entity that the individual knew or had
22 reason to know committed violations of section 7401 or 7403 of the
23 public health code, 1978 PA 368, MCL 333.7401 and 333.7403, and
24 whether the violation for which the individual was convicted was
25 committed to further the interests of that entity.

26 (iii) Whether the violation was committed in a drug-free
27 school zone.

1 (iv) Whether the violation involved the delivery of a
2 controlled substance to an individual less than 17 years of age or
3 possession with intent to deliver a controlled substance to an
4 individual less than 17 years of age.

5 (11) Except as provided in section 34a, a prisoner's release
6 on parole is discretionary with the parole board. The action of the
7 parole board in granting a parole is appealable by the prosecutor
8 of the county from which the prisoner was committed or the victim
9 of the crime for which the prisoner was convicted. The appeal ~~shall~~
10 **MUST** be to the circuit court in the county from which the prisoner
11 was committed, by leave of the court.

12 (12) If the sentencing judge, or his or her successor in
13 office, determines on the record that a prisoner described in
14 subsection (7)(b) or (c) sentenced to imprisonment for life for
15 violating, or attempting or conspiring to violate, section
16 7401(2)(a)(i) of the public health code, 1978 PA 368, MCL 333.7401,
17 has cooperated with law enforcement, the prisoner is subject to the
18 jurisdiction of the parole board and may be released on parole as
19 provided in subsection (7)(b) or (c) 2-1/2 years earlier than the
20 time otherwise indicated in subsection (7)(b) or (c). The prisoner
21 is considered to have cooperated with law enforcement if the court
22 determines on the record that the prisoner had no relevant or
23 useful information to provide. The court shall not make a
24 determination that the prisoner failed or refused to cooperate with
25 law enforcement on grounds that the defendant exercised his or her
26 constitutional right to trial by jury. If the court determines at
27 sentencing that the defendant cooperated with law enforcement, the

1 court shall include its determination in the judgment of sentence.

2 (13) ~~Notwithstanding~~ **EXCEPT FOR A PRISONER GRANTED PAROLE**
3 **UNDER SECTION 35(10), AND NOTWITHSTANDING** subsections (1) and (2),
4 ~~an individual~~ **A PRISONER** convicted of violating, or attempting or
5 conspiring to violate, section 7401(2)(a)(i) or 7403(2)(a)(i) of
6 the public health code, 1978 PA 368, MCL 333.7401 and 333.7403,
7 whose offense occurred before March 1, 2003, and who was sentenced
8 to a term of years, is eligible for parole after serving 20 years
9 of the sentence imposed for the violation if the individual has
10 another serious crime or 17-1/2 years of the sentence if the
11 individual does not have another conviction for a serious crime, or
12 after serving the minimum sentence imposed for that violation,
13 whichever is less.

14 (14) ~~Notwithstanding~~ **EXCEPT FOR A PRISONER GRANTED PAROLE**
15 **UNDER SECTION 35(10), AND NOTWITHSTANDING** subsections (1) and (2),
16 ~~an individual~~ **A PRISONER** who was convicted of violating, or
17 attempting or conspiring to violate, section 7401(2)(a)(ii) or
18 7403(2)(a)(ii) of the public health code, 1978 PA 368, MCL 333.7401
19 and 333.7403, whose offense occurred before March 1, 2003, and who
20 was sentenced according to those sections as they existed before
21 March 1, 2003, is eligible for parole after serving the minimum of
22 each sentence imposed for that violation or 10 years of each
23 sentence imposed for that violation, whichever is less.

24 (15) ~~Notwithstanding~~ **EXCEPT FOR A PRISONER GRANTED PAROLE**
25 **UNDER SECTION 35(10), AND NOTWITHSTANDING** subsections (1) and (2),
26 ~~an individual~~ **A PRISONER** who was convicted of violating, or
27 attempting or conspiring to violate, section 7401(2)(a)(iii) or

1 7403(2)(a)(iii) of the public health code, 1978 PA 368, MCL
2 333.7401 and 333.7403, whose offense occurred before March 1, 2003,
3 and who was sentenced according to those sections as they existed
4 before March 1, 2003, is eligible for parole after serving the
5 minimum of each sentence imposed for that violation or 5 years of
6 each sentence imposed for that violation, whichever is less.

7 (16) ~~Notwithstanding~~ **EXCEPT FOR A PRISONER GRANTED PAROLE**
8 **UNDER SECTION 35(10), AND NOTWITHSTANDING** subsections (1) and (2),
9 ~~an individual~~ **A PRISONER** who was convicted of violating, or
10 attempting or conspiring to violate, section 7401(2)(a)(iv) or
11 7403(2)(a)(iv) of the public health code, 1978 PA 368, MCL 333.7401
12 and 333.7403, whose offense occurred before March 1, 2003, who was
13 sentenced according to those sections of law as they existed before
14 March 1, 2003 to consecutive terms of imprisonment for 2 or more
15 violations of section 7401(2)(a) or 7403(2)(a), **OF THE PUBLIC**
16 **HEALTH CODE, 1978 PA 368, MCL 333.7401 AND 333.7403**, is eligible
17 for parole after serving 1/2 of the minimum sentence imposed for
18 each violation of section 7401(2)(a)(iv) or 7403(2)(a)(iv) **OF THE**
19 **PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7401 AND 333.7403**. This
20 subsection applies only to sentences imposed for violations of
21 section 7401(2)(a)(iv) or 7403(2)(a)(iv) **OF THE PUBLIC HEALTH CODE,**
22 **1978 PA 368, MCL 333.7401 AND 333.7403**, and does not apply if the
23 sentence was imposed for a conviction for a new offense committed
24 while the individual was on probation or parole.

25 (17) The parole board shall provide notice to the prosecuting
26 attorney of the county in which the ~~individual~~ **PRISONER** was
27 convicted before granting parole to the ~~individual~~ **PRISONER** under

1 subsection (13), (14), (15), or (16).

2 (18) As used in this section:

3 (a) "Serious crime" means violating or conspiring to violate
4 article 7 of the public health code, 1978 PA 368, MCL 333.7101 to
5 333.7545, that is punishable by imprisonment for more than 4 years,
6 or an offense against a person in violation of section 83, 84, 86,
7 87, 88, 89, 316, 317, 321, 349, 349a, 350, 397, 520b, 520c, 520d,
8 520g, 529, 529a, or 530 of the Michigan penal code, 1931 PA 328,
9 MCL 750.83, 750.84, 750.86, 750.87, 750.88, 750.89, 750.316,
10 750.317, 750.321, 750.349, 750.349a, 750.350, 750.397, 750.520b,
11 750.520c, 750.520d, 750.520g, 750.529, 750.529a, and 750.530.

12 (b) "State correctional facility" means a facility that houses
13 prisoners committed to the jurisdiction of the department.

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.

16 Enacting section 2. This amendatory act does not take effect
17 unless Senate Bill No. ____ or House Bill No. 4101 (request no.
18 01425'17) of the 99th Legislature is enacted into law.