

CORRECTIONS CODE OF 1953 (EXCERPT)
Act 232 of 1953

***** 791.236a THIS AMENDED SECTION IS EFFECTIVE MARCH 19, 2020 *****

791.236a.amended Collection of supervision fee by parole board; payment; allocation of money collected for other obligations; waiver of fee; determination and collection of fee for offender transferred to state under interstate compact; administrative costs; unpaid amounts; "electronic monitoring device" defined.

Sec. 36a. (1) Except as provided in subsection (6), the parole board shall include in each order of parole that the department collect a parole supervision fee of \$30.00 multiplied by the number of months of parole ordered, but not more than 60 months if the individual is placed on parole supervision without an electronic monitoring device. If the individual is placed on parole supervision under this subsection with an electronic monitoring device, the parole board shall include in each order of parole that the department shall collect a parole supervision fee of \$60.00 multiplied by the number of months of parole ordered, but not more than 60 months. The fee is payable when the parole order is entered, but the fee may be paid in monthly installments if the parole board approves installment payments for that parolee.

(2) If a person who is subject to a supervision fee is also subject to any combination of fines, costs, restitution, assessments, or payments arising out of the same criminal proceeding, the allocation of money collected for those obligations must be as provided in section 22 of chapter XV of the code of criminal procedure, 1927 PA 175, MCL 775.22.

(3) A person must not be subject to more than 1 parole supervision fee at the same time. If a parole supervision fee is ordered for a parolee for any month or months during which that parolee already is subject to a parole supervision fee, the department shall waive the fee having the shorter remaining duration.

(4) The department shall waive the parole supervision fee for a parolee who is transferred to another state under the interstate compact entered into pursuant to 1935 PA 89, MCL 798.101 to 798.103, or the interstate compact entered into pursuant to the interstate compact for adult offender supervision, 2002 PA 40, MCL 3.1011 to 3.1012, for the months during which he or she is in another state. The department shall collect a parole supervision fee of \$30.00 per month for each month of parole supervision in this state for an offender transferred to this state under an interstate compact if the offender is placed on parole supervision without an electronic monitoring device. If the offender is placed on parole supervision under this subsection with an electronic monitoring device, the department of corrections shall collect a parole supervision fee of \$60.00 per month for each month of parole supervision in this state.

(5) Twenty percent of the money collected by the department under this section must be allocated for administrative costs incurred by the department in collecting parole supervision fees and for enhanced services, as described in this subsection. Enhanced services include, but are not limited to, the purchase of services for parolees such as counseling, employment training, employment placement, or education; public transportation expenses related to training, counseling, or employment; enhancement of staff performance through specialized training and equipment purchase; and purchase of items for parolee employment. At the end of each fiscal year, the unexpended balance of the money allocated for administrative costs and enhanced services must be available for carryforward to be used for the purposes described in this subsection in subsequent fiscal years.

(6) The department shall waive the supervision fee under subsections (1) and (4) if the department determines that an offender is indigent.

(7) The department shall not collect any fees for offenders supervised under this section for electronic monitoring in excess of the fees required to be collected under subsections (1) and (4).

(8) If a parolee has not paid the full amount of the parole supervision fee upon being discharged from parole including a parolee being supervised on parole on the effective date of the amendatory act that amended this subsection, the department shall waive any amount in excess of the aggregate sum of \$30.00 per month for each month a parolee was supervised without an electronic monitoring device and \$60.00 per month for each month the parolee was supervised with an electronic monitoring device. Any unpaid amounts not waived by the department must be reported to the department of treasury. The department of treasury shall attempt to collect the unpaid balances pursuant to section 30a of 1941 PA 122, MCL 205.30a. Money collected under this subsection must not be allocated for the purposes described in subsection (5).

(9) As used in this section, "electronic monitoring device" includes any electronic device or instrument that is used to track the location of an individual, enforce a curfew, or detect the presence of alcohol in an individual's body.

History: Add. 1989, Act 185, Eff. Oct. 1, 1989;—Am. 1993, Act 184, Imd. Eff. Sept. 30, 1993;—Am. 1993, Act 346, Imd. Eff. Jan. 1, 1994. Rendered Tuesday, March 31, 2020 Page 1 Michigan Compiled Laws Complete Through PA 67 of 2020

10, 1994;—Am. 2002, Act 502, Imd. Eff. July 16, 2002;—Am. 2019, Act 164, Eff. Mar. 19, 2020.

Popular name: Department of Corrections Act