

SENATE BILL No. 543

October 9, 1991, Introduced by Senators V. SMITH, O'BRIEN, KELLY and MILLER and referred to the Committee on Judiciary.

A bill to amend section 33b of Act No. 232 of the Public Acts of 1953, entitled as amended

"An act to revise, consolidate, and codify the laws relating to probationers and probation officers as herein defined, to pardons, reprieves, commutations, and paroles, to the administration of penal institutions, correctional farms, and probation recovery camps, to prison labor and prison industries, and the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are hereby transferred; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

as amended by Act No. 252 of the Public Acts of 1989, being section 791.233b of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 33b of Act No. 232 of the Public Acts of
2 1953, as amended by Act No. 252 of the Public Acts of 1989, being
3 section 791.233b of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 33b. A person convicted and sentenced for the commis-
6 sion of any of the following crimes shall not be eligible for
7 parole until the person has served the minimum term imposed by
8 the court less an allowance for disciplinary credits as provided
9 in section 33(5) of Act No. 118 of the Public Acts of 1893, being
10 section 800.33 of the Michigan Compiled Laws, but shall not be
11 eligible for special parole:

12 (a) Section 13 of THE MICHIGAN PENAL CODE, Act No. 328 of
13 the Public Acts of 1931, as amended, being section 750.13 of the
14 Michigan Compiled Laws.

15 (b) Section 14 of Act No. 328 of the Public Acts of 1931, as
16 amended, being section 750.14 of the Michigan Compiled Laws.

17 (c) Section 72, 73, or 75 of Act No. 328 of the Public Acts
18 of 1931, as amended, being section 750.72, 750.73, or 750.75 of
19 the Michigan Compiled Laws.

20 (d) Section 80, 82, 83, 84, ~~85~~, 86, 87, 88, 89, or 90 of
21 Act No. 328 of the Public Acts of 1931, as amended, being section
22 750.80, 750.82, 750.83, 750.84, ~~750.85~~, 750.86, 750.87, 750.88,
23 750.89, or 750.90 of the Michigan Compiled Laws, OR UNDER FORMER
24 SECTION 85 OF ACT NO. 328 OF THE PUBLIC ACTS OF 1931.

1 (e) Section 91 or 92 of Act No. 328 of the Public Acts of
2 1931, as amended, being section 750.91 or 750.92 of the Michigan
3 Compiled Laws.

4 (f) Section 110, 112, or 116 of Act No. 328 of the Public
5 Acts of 1931, as amended, being section 750.110, 750.112, or
6 750.116 of the Michigan Compiled Laws.

7 (g) Section 135, 136b(2), or 136b(3) of Act No. 328 of the
8 Public Acts of 1931, as amended, being section 750.135 or
9 750.136b of the Michigan Compiled Laws, or under former section
10 136a of Act No. 328 of the Public Acts of 1931.

11 (h) Section 158 of Act No. 328 of the Public Acts of 1931,
12 as amended, being section 750.158 of the Michigan Compiled Laws.

13 (i) Section 160 of Act No. 328 of the Public Acts of 1931,
14 as amended, being section 750.160 of the Michigan Compiled Laws.

15 (j) Section 171 of Act No. 328 of the Public Acts of 1931,
16 as amended, being section 750.171 of the Michigan Compiled Laws.

17 (k) Section ~~194 or~~ 196 of Act No. 328 of the Public Acts
18 of 1931, as amended, being section ~~750.194 or~~ 750.196 of the
19 Michigan Compiled Laws, OR UNDER FORMER SECTION 194 OF ACT
20 NO. 328 OF THE PUBLIC ACTS OF 1931.

21 (l) Section 204, 205, 206, 207, 208, 209, or 213 of Act
22 No. 328 of the Public Acts of 1931, as amended, being section
23 750.204, 750.205, 750.206, 750.207, 750.208, 750.209, or 750.213
24 of the Michigan Compiled Laws.

25 (m) Section 224, 226, or 227 of Act No. 328 of the Public
26 Acts of 1931, as amended, being section 750.224, 750.226, or
27 750.227 of the Michigan Compiled Laws.

1 (n) Section 316, 317, 319, 321, 322, 323, 327, 328, or 329
2 of Act No. 328 of the Public Acts of 1931, as amended, being sec-
3 tion 750.316, 750.317, 750.319, 750.321, 750.322, 750.323,
4 750.327, 750.328, or 750.329 of the Michigan Compiled Laws.

5 (o) ~~Section~~ FORMER SECTION 333 of Act No. 328 of the
6 Public Acts of 1931. ~~, as amended, being section 750.333 of the~~
7 ~~Michigan Compiled Laws.~~

8 (p) Section 338, 338a, OR 338b ~~, or 341~~ of Act No. 328 of
9 the Public Acts of 1931, as amended, being section 750.338,
10 750.338a, OR 750.338b ~~, or 750.341~~ of the Michigan Compiled
11 Laws, OR UNDER FORMER SECTION 341 OF ACT NO. 328 OF THE PUBLIC
12 ACTS OF 1931.

13 (q) Section 349, 349a, or 350 of Act No. 328 of the Public
14 Acts of 1931, as amended, being section 750.349, 750.349a, or
15 750.350 of the Michigan Compiled Laws.

16 (r) Section 357 of Act No. 328 of the Public Acts of 1931,
17 as amended, being section 750.357 of the Michigan Compiled Laws.

18 (s) Section 386 or 392 of Act No. 328 of the Public Acts of
19 1931, as amended, being section 750.386 or 750.392 of the
20 Michigan Compiled Laws.

21 (t) Section 397 or 397a of Act No. 328 of the Public Acts of
22 1931, as amended, being section 750.397 or 750.397a of the
23 Michigan Compiled Laws.

24 (u) Section 436 of Act No. 328 of the Public Acts of 1931,
25 as amended, being section 750.436 of the Michigan Compiled Laws.

1 (v) Section 511 or 517 of Act No. 328 of the Public Acts of
2 1931, as amended, being section 750.511 or 750.517 of the
3 Michigan Compiled Laws.

4 (w) Section 520b, 520c, 520d, or 520g of Act No. 328 of the
5 Public Acts of 1931, as amended, being section 750.520b,
6 750.520c, 750.520d, or 750.520g of the Michigan Compiled Laws.

7 (x) Section 529, 529A, 530, or 531 of Act No. 328 of the
8 Public Acts of 1931, as amended, being section 750.529, 750.530,
9 or 750.531 of the Michigan Compiled Laws.

10 (y) Section 544 ~~or 545a~~ of Act No. 328 of the Public Acts
11 of 1931, as amended, being section 750.544 ~~or 750.545a~~ of the
12 Michigan Compiled Laws, OR UNDER FORMER SECTION 545A OF ACT
13 NO. 328 OF THE PUBLIC ACTS OF 1931.

14 (z) ~~Section~~ FORMER SECTION 2 of Act No. 38 of the Public
15 Acts of 1950 Ex. Sess. ~~, as amended, being section 752.312 of~~
16 ~~the Michigan Compiled Laws.~~

17 (aa) ~~Section~~ FORMER SECTION 6 of Act No. 117 of the Public
18 Acts of 1952. ~~, as amended, being section 752.326 of the~~
19 ~~Michigan Compiled Laws.~~

20 (bb) Section 1, 2, OR 3 ~~, or 4~~ of Act No. 302 of the
21 Public Acts of 1968, as amended, being section 752.541, 752.542,
22 OR 752.543 ~~, or 752.544~~ of the Michigan Compiled Laws.

23 (cc) Section 7401(2)(a), 7401(2)(b), 7402(2)(a), or
24 7402(2)(b) of THE PUBLIC HEALTH CODE, Act No. 368 of the Public
25 Acts of 1978, being section 333.7401 or 333.7402 of the Michigan
26 Compiled Laws.

1 Section 2. This amendatory act shall not take effect unless
2 Senate Bill No. 507 of the 86th Legislature is enacted into law.