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**SFA****BILL ANALYSIS**

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Senate Bill 826 (Substitute S-2 as reported)  
Sponsor: Senator William Van Regenmorter  
Committee: Judiciary

### **CONTENT**

The bill would amend the prison code to provide for the effectiveness of provisions enacted in 1994 and commonly referred to as "truth-in-sentencing", and expand the number of prisoners who would be subject to disciplinary time (which would be added to a prisoner's minimum sentence) rather than eligible for "disciplinary credits" (which reduce a prisoner's minimum sentence). The bill would take effect on May 1, 1998.

The code includes provisions for the addition of disciplinary time to the minimum sentence of a "prisoner subject to disciplinary time" for each major misconduct for which he or she is found guilty. Accumulated disciplinary time is to be added to a prisoner's minimum sentence in order to determine his or her parole eligibility date. "Prisoner subject to disciplinary time" means a prisoner sentenced on or after the effective date of the disciplinary time provision to an indeterminate term of imprisonment for specified offenses. (The disciplinary time provisions were enacted in 1994 as part of the legislation commonly referred to as "truth-in-sentencing", but the effective date of the provisions was delayed until sentencing guidelines are enacted into law after the Sentencing Commission submits recommended guidelines.) The bill would change that definition to apply to both of the following:

- A prisoner sentenced to an indeterminate term for any of the specified offenses, if the crime were committed on or after May 1, 1998 (the effective date of the sentencing guidelines proposed by Senate Bill 825).
- A prisoner sentenced to an indeterminate term for any other crime, if that crime were committed on or after May 1, 1999.

The bill also would repeal the sections of the "truth-in-sentencing" legislation (Public Acts 217 and 218 of 1994) that delay the effective date of those provisions until the enactment of sentencing guidelines after the Sentencing Commission submits recommended guidelines.

MCL 800.34

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

Please see **FISCAL IMPACT** on Senate Bill 825 (S-1).

Date Completed: 12-9-97

Fiscal Analyst: K. Firestone

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