

PRISONS & CORRECTIONS SECTION
Respectfully submits the following position on:

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SB 0191

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The Prisons & Corrections Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Prisons & Corrections Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Prisons & Corrections Section is 174.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 15. The number who voted in favor to this position was 11. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of Section:

Prisons & Corrections Section

Contact person:

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Bill Number:

[SB 0191](#) (Hansen) Criminal procedure; other; recovery of certain costs for criminal contempt prosecution or retail fraud; provide for. Amends sec. 1f, ch. IX of [1927 PA 175](#) (MCL [769.1f](#)).

Date position was adopted:

April 11, 2015

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

11 Voted for position

0 Voted against position

1 Abstained from vote

3 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

SB 191 appears both premature and redundant after the Legislature's amendment of MCL 769.1k, following the Michigan Supreme Court's decision in *People v. Cunningham*, 496 Mich 145 (2014). In addition, SB 191 could exacerbate the already-existent problem of debtor's prisons in Michigan.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2015-SB-0191>