

HOUSE BILL No. 4786

May 12, 2005, Introduced by Reps. David Law, Schuitmaker and Nofs and referred to the Committee on Judiciary.

A bill to amend 2003 PA 125, entitled
"Local corrections officers training act,"
by amending section 15 (MCL 791.545).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 15. (1) The local corrections officers training fund is
2 created in the state treasury. The fund shall be administered by
3 the council, which shall expend the fund only as provided in this
4 section.

5 (2) There shall be credited to the local corrections officer
6 training fund all revenue received from fees and civil fines
7 collected under section 4b of 1846 RS 171, MCL 801.4b, and funds
8 from any other source provided by law.

9 (3) The council shall use the fund only to defray ~~the~~ costs

1 **RELATING TO THE MANDATORY REQUIREMENTS** of continuing education,
2 certification, recertification, decertification, and training of
3 local corrections officers **AS APPROVED BY THE COUNCIL UNDER SECTION**
4 **8**; the personnel and administrative costs of the office, board, and
5 council; and other expenditures related to the **MANDATORY**
6 requirements of this act. Only counties that forward to the fund
7 100% of fees collected under section 4b of 1846 RS 171, MCL 801.4b,
8 are eligible to receive grants from the fund. A county that
9 receives funds from the council under this section shall use those
10 funds only for costs relating to the **MANDATORY REQUIREMENTS OF**
11 continuing education, certification, recertification, and training
12 of local corrections officers in that county **AS APPROVED BY THE**
13 **COUNCIL UNDER SECTION 8** and shall not use those funds to supplant
14 current spending by the county for those purposes, including state
15 grants and training funds.

16 (4) The council, upon written request, shall reimburse the
17 full amount of any fee paid by a person under section 4b of 1846 RS
18 171, MCL 801.4b, if the person was incarcerated pending trial and
19 was found not guilty or the prosecution against the person was
20 terminated for any reason. The council shall create and make
21 available to all local correctional facilities in this state a
22 written form explaining the provisions of this subsection. The form
23 shall include the address to which the reimbursement request should
24 be sent.

25 (5) Unexpended funds remaining in the fund at the end of the
26 fiscal year shall remain in the fund and shall not revert to the
27 general fund.

1 Enacting section 1. This amendatory act does not take effect
2 unless Senate Bill No.____ or House Bill No. 4785(request no.
3 01471'05 *) of the 93rd Legislature is enacted into law.