

# HOUSE BILL No. 4579

April 30, 1987, Introduced by Reps. Hood, Knight, Hollister, Murphy, Harrison, Emerson, Johnson, Kilpatrick, DeMars, Jacobetti, Sitz, Bryant, Kosteva, Griffin, Maynard, Lynn Owen, Hickner, Bennane, Weeks, Keith, Gilmer, Dobronski, Gubow, Webb, Hertel, Perry Bullard, Sitz, Hoffman, Berman, Bandstra, Stacey, Gnodtke, Miller, Krause, Sikkema, Gilmer, Brown, Keith, Honigman, Martin, Trim, Stopczynski and Stallworth and referred to the Committee on Appropriations.

A bill to provide for a public safety assistance program to help certain local governmental units improve police protection; to create a public safety assistance fund and to provide for an appropriation of revenue for the fund; to prescribe the powers and duties of certain state and local officials; to provide for certain committees and to prescribe their powers and duties; to provide for the distribution of funds; and to provide certain penalties.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "public safety assistance act".

3       Sec. 2. As used in this act:

4       (a) "Crime index per capita" means the rate of serious  
5 crimes per capita reported by local police departments and  
6 compiled by the department of state police into the uniform crime

1 report pursuant to Act No. 319 of the Public Acts of 1968, being  
2 sections 28.251 to 28.257 of the Michigan Compiled Laws.

3 (b) "Department" means the department of management and  
4 budget.

5 (c) "Local governmental unit" means a city, township, or  
6 county.

7 (d) "Population" means population according to the last and  
8 each succeeding statewide federal census, as published by the  
9 bureau of census in the United States department of commerce.  
10 Corrections to the statewide federal census made by the bureau of  
11 census that occur after September 30 and before October 1 in any  
12 year shall become effective for the purpose of revenue distribu-  
13 tions on the next November 1 at least 1 year later.

14 (e) "Public safety assistance formula" means the method for  
15 computing the amount to be paid to a qualified city from the  
16 total amount available for distribution under this act according  
17 to the following:

18 (i) Multiply the public safety index by the population of  
19 the city.

20 (ii) Divide the total amount of revenue available for dis-  
21 tribution under the formula at the time of the distribution by  
22 the sum of the products of all the cities in subparagraph (i).

23 (iii) Multiply the quotient from subparagraph (ii) by the  
24 product of each individual city in subparagraph (i).

25 (f) "Public safety index" means 1 of the factors used to  
26 qualify a city and is calculated according to the following:

1       (i) Divide the tax burden per capita of the city by the SEV  
2 per capita.

3       (ii) Divide the statewide average tax burden per capita by  
4 the statewide average SEV per capita.

5       (iii) Divide the quotient from subparagraph (i) by the quo-  
6 tient from subparagraph (ii).

7       (iv) Add the relative crime index of the city to the quo-  
8 tient from subparagraph (iii).

9       (g) "Qualified city" means a city with a population of  
10 10,000 or more and a public safety index of 1.60 or more.

11       (h) "Relative crime index" means the crime index per capita  
12 for a city divided by the statewide average crime index per  
13 capita.

14       (i) "State equalized valuation per capita" means the rela-  
15 tive ability of each city to pay for basic services such as  
16 police and fire protection based on the total state equalized  
17 valuation of property within the city and abatements pursuant to  
18 Act No. 198 of the Public Acts of 1974, being sections 207.551 to  
19 207.571 of the Michigan Compiled Laws and Act No. 255 of the  
20 Public Acts of 1978, being sections 207.651 to 207.668 of the  
21 Michigan Compiled Laws. State equalized valuation per capita may  
22 be referred to as the SEV per capita.

23       (j) "Statewide average" means the average of data under sub-  
24 divisions (a), (h), and (i) for all cities having a population of  
25 10,000 or more.

26       (k) "Tax burden per capita" means the relative tax burden in  
27 each city determined by dividing the sum of the amount of

1 property taxes, city income taxes, and utility user taxes per  
2 capita of each city by the statewide average of property taxes,  
3 city income taxes, and utility user taxes per capita.

4       Sec. 3. (1) There is hereby created a separate fund within  
5 the state treasury called the public safety assistance fund. The  
6 following amounts shall be appropriated to this fund from the  
7 state general fund:

8       (a) For the 1987-88 fiscal year, \$30,000,000.00.

9       (b) For the 1988-89 fiscal year, \$45,000,000.00.

10       (c) For the 1989-90 fiscal year and each fiscal year there-  
11 after, \$60,000,000.00.

12       Sec. 4. (1) Beginning in the 1987-88 fiscal year, the  
13 department shall cause to be paid to each qualified city on  
14 November 1 an amount determined in accordance with the public  
15 safety assistance formula.

16       (2) The payment made under this section to a qualified city  
17 shall be paid directly to the city treasurer and credited to the  
18 general fund for use in financing public safety through improved  
19 police protection.

20       (3) The payment made under this section shall be used in  
21 addition to and not in place of funds that are regularly budgeted  
22 and appropriated by the city for public safety purposes.

23       (4) An individual qualified city shall not receive more than  
24 25% of the total funds distributed under this section unless the  
25 legislature does not appropriate the full amounts required in  
26 section 3. Any funds available due to the 25% ceiling shall be

1 redistributed among the remaining qualified cities according to  
2 the public safety assistance formula.

3       Sec. 5. (1) A special account within the public safety  
4 assistance fund shall be funded annually with 20% of the amount  
5 appropriated under section 3 before distributions are made pursu-  
6 ant to section 4. These funds may be distributed in the form of  
7 1-year grants for use in public safety programs by the office of  
8 criminal justice to nonqualifying cities, townships, counties,  
9 the department of state police, or a consortium. A consortium  
10 may be formed by a combination of 2 or more contiguous local gov-  
11 ernmental units or the department of state police and 1 or more  
12 local governmental units for the purpose of applying for and  
13 using a grant under this section. A qualified city shall not be  
14 part of a consortium.

15       (2) To apply for the funds each year, an application shall  
16 be filed with the office of criminal justice by December 31,  
17 including the specific amount requested and an outline of how the  
18 funds will be used.

19       (3) An evaluation committee shall determine which grant  
20 requests are approved and for what amounts by February 15 of each  
21 year based on the following criteria:

22       (a) Whether the proposals address problems concerning major  
23 crimes, including murder, rape, assault, larceny, and drug  
24 related crimes.

25       (b) Whether the approved grants reflect a broad geographic  
26 balance.

1 (c) Whether the proposals best utilize available resources  
2 such as those available under the formation of consortiums.

3 (4) The evaluation committee shall consist of 11 members, 1  
4 being appointed by each of the following:

5 (a) Michigan fraternal order of police.

6 (b) Michigan sheriffs' association.

7 (c) Michigan chiefs of police association.

8 (d) Detroit police officers association.

9 (e) Michigan state police troopers association.

10 (f) Department of management and budget.

11 (g) Governor's office.

12 (h) Department of state police.

13 (i) Speaker of the house.

14 (j) Senate majority leader.

15 (k) Michigan municipal league.

16 (5) Grants under this section are on a 1-year basis but may  
17 be approved for 1 year at a time for programs lasting up to 5  
18 years.

19 (6) The office of criminal justice shall cause the amount of  
20 the approved funds to be paid to each grant recipient on March 1  
21 each year. Funds not distributed under this section by March 15  
22 each year shall be distributed under section 4.

23 Sec. 6. (1) The funds received under this act shall be used  
24 only to hire, support, and maintain those sworn law enforcement  
25 officers employed in excess of the number of sworn law enforce-  
26 ment officers maintained on January 1, 1987 for cities with a  
27 population of less than 900,000. For cities with a population of

1 900,000 or more, the funds shall be used only to hire, support,  
2 and maintain those sworn law enforcement officers employed in  
3 excess of the number of sworn law enforcement officers maintained  
4 on November 1, 1984.

5 (2) Not less than 70% of the distribution shall be used by  
6 each unit to hire new personnel. Not more than 30% of the dis-  
7 tribution shall be used on training, capital outlay, equipment,  
8 and related items.

9 (3) Grants shall not be used to increase the salaries or  
10 benefits of existing law enforcement personnel.

11 Sec. 7. The department of management and budget shall  
12 administer this act. The department shall make all the calcula-  
13 tions pursuant to the formulas provided by this act based on fig-  
14 ures from the calendar year prior to the fiscal year in which the  
15 funds are distributed.

16 Sec. 8. (1) The department of state police shall insure the  
17 integrity of the reporting under section 2(a).

18 (2) A city that misrepresents the data collected for the  
19 purpose of receiving greater funds under this act shall be allo-  
20 cated 50% less than the amount that city would have received  
21 otherwise.

22 Sec. 9. The office of criminal justice shall submit a  
23 report to the legislature before September 30 of each year pro-  
24 viding an assessment of the operation of the public safety  
25 assistance act, the results of the program in the local govern-  
26 mental units, and any recommended legislative changes.