

HOUSE BILL No. 4303

February 15, 1991, Introduced by Reps. Pitoniak, Ciaramitaro, Leland, Kilpatrick, Wallace, Clack, DeMars, Baade, Dalman, Weeks, Gire, Dobronski, McNutt, Perry Bullard and Olshove and referred to the Committee on Corrections.

A bill to amend sections 2 and 6 of Act No. 264 of the Public Acts of 1987, entitled "Health and safety fund act," being sections 141.472 and 141.476 of the Michigan Compiled Laws; and to add section 5a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2 and 6 of Act No. 264 of the Public
2 Acts of 1987, being sections 141.472 and 141.476 of the Michigan
3 Compiled Laws, are amended and section 5a is added to read as
4 follows:

5 Sec. 2. As used in this act:

6 (a) "Distribution" means the amount of money a county
7 receives under sections 4 and 5.

8 (b) "Fund" means the health and safety fund created in
9 section 3.

1 (c) "Jail facility" means a jail, holding cell, holding
2 center, or lockup as those terms are defined in section 62 of Act
3 No. 232 of the Public Acts of 1953, being section 791.262 of the
4 Michigan Compiled Laws, OR A JAIL OR MINIMUM SECURITY FACILITY AS
5 THOSE TERMS ARE DEFINED IN SECTION 2 OF THE STATE AND LOCAL PART-
6 NERSHIP ON CORRECTIONS ACT.

7 (d) "Juvenile facility" means a county facility or an insti-
8 tution operated as an agency of the county or the juvenile divi-
9 sion of the probate court for the housing or detention of
10 juveniles.

11 (e) "Local health department" means that term as defined in
12 section 1105 of the public health code, Act No. 368 of the Public
13 Acts of 1978, being section 333.1105 of the Michigan Compiled
14 Laws.

15 SEC. 5A. (1) SUBJECT TO THE LIMITATIONS PRESCRIBED BY THIS
16 SECTION, A COUNTY MAY ENTER INTO AN AGREEMENT WITH THE MICHIGAN
17 MUNICIPAL BOND AUTHORITY CREATED UNDER SECTION 4 OF THE SHARED
18 CREDIT RATING ACT, ACT NO. 227 OF THE PUBLIC ACTS OF 1985, BEING
19 SECTION 141.1054 OF THE MICHIGAN COMPILED LAWS, TO PLEDGE ALL OR
20 A PORTION OF THE 5/17 DISTRIBUTION UNDER SECTION 5(C) TO THE
21 MICHIGAN MUNICIPAL BOND AUTHORITY OR FOR PAYMENT OF AN OBLIGATION
22 THAT THE COUNTY INCURS WITH THE MICHIGAN MUNICIPAL BOND
23 AUTHORITY. A PLEDGE OF A DISTRIBUTION AS PERMITTED BY THIS SEC-
24 TION IS NOT VALID UNLESS THE PROCEEDS OF THE OBLIGATIONS FOR
25 WHICH THE PLEDGE IS MADE ARE USED FOR THE ACQUISITION, CONSTRUC-
26 TION, EXPANSION, OR EQUIPPING OF A JAIL FACILITY.

1 (2) IF A COUNTY ENTERS INTO AN AGREEMENT DESCRIBED IN
2 SUBSECTION (1), THE STATE TREASURER SHALL TRANSMIT TO THE
3 MICHIGAN MUNICIPAL BOND AUTHORITY, OR A TRUSTEE DESIGNATED BY THE
4 AUTHORITY, THE AMOUNT OF THE PAYMENT THAT IS PLEDGED IN ACCORD-
5 ANCE WITH THE AGREEMENT. NOTWITHSTANDING THE PAYMENT DATES PRE-
6 SCRIBED FOR DISTRIBUTIONS UNDER SECTION 5(C), THE STATE TREASURER
7 MAY ADVANCE ALL OR A PORTION OF A DISTRIBUTION UNDER SECTION 5(C)
8 IF THE MONEY FOR THE DISTRIBUTION IS APPROPRIATED AND IN ACCORD-
9 ANCE WITH THE TERMS OF THE AGREEMENT BETWEEN THE COUNTY AND THE
10 MICHIGAN MUNICIPAL BOND AUTHORITY.

11 (3) THIS SECTION DOES NOT REQUIRE THE STATE TO MAKE AN
12 APPROPRIATION TO A COUNTY AND SHALL NOT BE CONSTRUED AS CREATING
13 AN INDEBTEDNESS OF THE STATE. AN AGREEMENT MADE UNDER THIS SEC-
14 TION SHALL CONTAIN A STATEMENT TO THAT EFFECT.

15 Sec. 6. A distribution to a county under section 5(b)(ii)
16 and 5(c), OR TO THE MICHIGAN MUNICIPAL BOND AUTHORITY ON BEHALF
17 OF A COUNTY UNDER SECTION 5A, shall be included for purposes of
18 calculations required to be made by section 24e of the general
19 property tax act, Act No. 206 of the Public Acts of 1893, being
20 section 211.24e of the Michigan Compiled Laws. If the governing
21 body of a county approves the additional millage rate under
22 section 24e of the general property tax act, Act No. 206 of the
23 Public Acts of 1893, that is due to distributions under section
24 5(b)(ii) and 5(c), OR UNDER SECTION 5A, then the distributions
25 under section 5(b)(ii) and 5(c), OR SECTION 5A, shall be used for
26 the purposes specified in ~~that section~~ THOSE SECTIONS.

1 Section 2. This amendatory act shall take effect April 1,
2 1991.

3 Section 3. This amendatory act shall not take effect unless
4 Senate Bill No. _____ or House Bill No. 4306 (request
5 no. 00987'91) of the 86th Legislature is enacted into law.