

HOUSE BILL No. 5295

October 24, 1991, Introduced by Rep. Martin and referred to the Committee on Judiciary.

A bill to amend section 7524a of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," as added by Act No. 336 of the Public Acts of 1990, being section 333.7524a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 7524a of Act No. 368 of the Public Acts
2 of 1978, as added by Act No. 336 of the Public Acts of 1990,
3 being section 333.7524a of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 7524a. (1) Before February 1 of each year, each local
6 unit of government that had forfeiture proceedings pending in the
7 circuit court pursuant to section 7523; or effectuated a
8 forfeiture of property pursuant to section 7523 without a
9 forfeiture proceeding in the circuit court; or received money,

1 negotiable instruments, securities, or any other thing of value
2 pursuant to section 7524 during the fiscal year for the local
3 unit of government ending in the immediately preceding calendar
4 year shall submit a report to the office of drug ~~agencies~~
5 CONTROL POLICY for analysis and transmittal to the secretary of
6 the senate and the clerk of the house of representatives. The
7 annual report shall be a summary of the local unit of
8 government's activities regarding the forfeiture of property
9 under this article and pursuant to section 17766a for the fiscal
10 year and shall contain the following information, as applicable:

11 (a) The number of forfeiture proceedings that were insti-
12 tuted in the circuit court by the local unit of government.

13 (b) The number of forfeiture proceedings instituted by the
14 local unit of government that were concluded in the circuit
15 court.

16 (c) The number of all forfeiture proceedings instituted by
17 the local unit of government that were pending in the circuit
18 court at the end of the year.

19 (d) The number of forfeitures accomplished by the local unit
20 of government without filing a forfeiture proceeding in the cir-
21 cuit court.

22 (e) The net total proceeds of all property forfeited under
23 this article and pursuant to section 17766a through forfeitures
24 instituted by the local unit of government that the local unit of
25 government is required to account for and report to the state
26 treasurer pursuant to either of the following, as applicable:

1 (i) Act No. 71 of the Public Acts of 1919, being sections
2 21.41 to 21.53 of the Michigan Compiled Laws.

3 (ii) The uniform budgeting and accounting act, Act No. 2 of
4 the Public Acts of 1968, being sections 141.421 to 141.440a of
5 the Michigan Compiled Laws.

6 (f) An inventory of property received by the local unit of
7 government pursuant to section 7524 ~~and~~ OR section 17766a,
8 including, but not limited to, all of the following:

9 (i) ~~all~~ ALL of the following real property:

10 (A) Single-family residential.

11 (B) Multiple-family residential.

12 (C) Industrial.

13 (D) Commercial.

14 (E) Agricultural.

15 (ii) Any type of conveyance described in section 7521(1)(d),
16 including the year, make, and model.

17 (iii) Money, negotiable instruments, and securities.

18 (iv) The total value of personal property, excluding per-
19 sonal property described in ~~subparagraphs (ii) and (iii)~~

20 SUBPARAGRAPH (ii) OR (iii).

21 (g) A statement explaining how the money received by the
22 local unit of government pursuant to section 7524(1)(b)(ii) has
23 been used or is being used to enhance the law enforcement efforts
24 pertaining to this article or section 17766a.

25 (2) The records of a local unit of government described in
26 subsection (1) regarding the forfeiture of property under this

1 article or pursuant to section 17766a shall be audited in
2 accordance with 1 of the following, as applicable:

3 (a) Act No. 71 of the Public Acts of 1919. ~~, being sections~~
4 ~~21.41 to 21.53 of the Michigan Compiled Laws.~~

5 (b) ~~The uniform budgeting and accounting act,~~ Act No. 2 of
6 the Public Acts of 1968. ~~, being sections 141.421 to 141.440a of~~
7 ~~the Michigan Compiled Laws.~~

8 (3) The records of a local unit of government described in
9 subsection (1) regarding the forfeiture of property under this
10 article or pursuant to section 17766a may be audited by an audi-
11 tor of the local unit of government.