

HOUSE BILL No. 5932

June 10, 1992, Introduced by Reps. Bobier, Dalman, Jamian, Bodem, McBryde, Nye, Horton, Dolan, Oxender, Middleton, Strand, Munsell, Walberg, Bankes, Jaye and Robertson and referred to the Committee on Judiciary.

A bill to create the forensic science assessment fund; to provide for assessments against criminal defendants; to provide for expenditures from the fund; and to prescribe the powers and duties of certain departments and agencies and local units of government.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as "the
2 forensic science assessment act".

3 Sec. 2. The forensic science assessment fund is created as
4 a separate fund in the state treasury and administered by the
5 department of state police. The state treasurer shall credit to
6 the fund all amounts received under section 4. Money in the fund
7 that is not appropriated in a fiscal year shall be credited to
8 the fund and shall not revert to the general fund. Earnings from
9 the fund shall be credited to the fund.

1 Sec. 3. (1) The investigating officer of each criminal case
2 being adjudicated shall advise the prosecuting attorney if the
3 division of the department of state police concerned with foren-
4 sic science or a forensic science unit of a local unit of govern-
5 ment has conducted a drug analysis, toxicology analysis, or other
6 forensic testing in the case.

7 (2) The prosecuting attorney shall notify the court that the
8 division of the department of state police concerned with foren-
9 sic science or a forensic science unit of a local unit of govern-
10 ment has conducted a drug analysis, toxicology analysis, or other
11 forensic testing in the investigation of the case before the
12 court.

13 Sec. 4. (1) If the division of the department of state
14 police concerned with forensic science or the forensic science
15 unit of a local unit of government has conducted a drug analysis,
16 toxicology analysis, or other forensic testing in the investiga-
17 tion of the case, the court shall order each person convicted of
18 a crime in the case to pay an assessment of \$150.00.

19 (2) On the last day of each month, the clerk of the court
20 shall transmit all assessments received under subsection (1) to
21 the department of treasury, if the analysis or testing was done
22 by the department of state police, or to the budgetary authority
23 of the local unit of government if the analysis or testing was
24 done by the local unit of government. The clerk shall include a
25 written report containing all of the following for the period
26 covered by the report:

1 (a) The name of the court.

2 (b) The total number of defendants against whom the court
3 imposed an assessment.

4 (c) The total amount of assessments the court imposed.

5 (d) The total amount of assessments the court collected.

6 Sec. 5. The legislature shall appropriate money from the
7 forensic science assessment fund to the department of state
8 police for forensic science services. The budgetary authority of
9 the local unit of government shall appropriate money received
10 pursuant to this act to its forensic science unit for forensic
11 science services.

12 Sec. 6. The department of state police shall report annu-
13 ally to the governor and to the house and senate appropriations
14 committees the amount received in the fiscal year pursuant to
15 this act, the amount expended pursuant to appropriations, and the
16 balance in the fund.

17 Sec. 7. This act shall take effect upon the expiration of
18 60 days after the date of its enactment.