

SENATE BILL No. 251

April 11, 1991, Introduced by Senators MC MANUS, WELBORN, CISKY, BERRYMAN, EMMONS, KOIVISTO, PRIDNIA, GEAKE, N. SMITH, SCHWARZ, DILLINGHAM and DUNASKISS and referred to the Committee on Family Law, Criminal Law, and Corrections.

A bill to amend section 3 of Act No. 140 of the Public Acts of 1971, entitled as amended
"State revenue sharing act of 1971,"
as amended by Act No. 275 of the Public Acts of 1980, being section 141.903 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 140 of the Public Acts of
2 1971, as amended by Act No. 275 of the Public Acts of 1980, being
3 section 141.903 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) "Population" for the purpose of distributing
6 revenues among cities, villages, townships, and counties means
7 population according to the last and each succeeding statewide
8 federal census, or a special statewide census as provided by law,
9 whichever is later. Corrections to the statewide federal census

1 that are published by the bureau of the census, United States
2 department of commerce, and that occur during the period
3 BEGINNING July 1, and ending June 30, shall become effective for
4 the purpose of revenue distributions on the next July 1. Fifty
5 percent of the total number of persons who are wards, patients,
6 or convicts committed to or domiciled in a city, village, or
7 township institution located outside the boundaries of the city,
8 village, or township, ~~or~~ committed to or domiciled in a county
9 ~~state,~~ or federal tax-supported institution, OR COMMITTED TO
10 OR DOMICILED IN A STATE TAX-SUPPORTED INSTITUTION, OTHER THAN A
11 STATE TAX-SUPPORTED PENAL INSTITUTION, if the persons were
12 included in the federal census, or any special census as provided
13 by law, shall be excluded from the computation. ON THE LAST DAY
14 OF DECEMBER OF EACH YEAR THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL
15 HOLIDAY, THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL CER-
16 TIFY TO THE DEPARTMENT OF MANAGEMENT AND BUDGET THE DEPARTMENT OF
17 CORRECTIONS' LATEST CENSUS OF PRISONERS COMMITTED TO EACH STATE
18 TAX-SUPPORTED PENAL INSTITUTION. IN ADDITION, IF A STATE TAX
19 SUPPORTED PENAL INSTITUTION BEGINS OPERATION IN A MONTH OTHER
20 THAN JUNE OR JULY, THEN, ON THE FIRST DAY 180 DAYS AFTER THE
21 INSTITUTION BEGINS OPERATION THAT IS NOT A SATURDAY, SUNDAY, OR
22 LEGAL HOLIDAY, THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS
23 SHALL CERTIFY TO THE DEPARTMENT OF MANAGEMENT AND BUDGET THE
24 DEPARTMENT OF CORRECTION'S LATEST CENSUS OF PRISONERS COMMITTED
25 TO THAT INSTITUTION. FOR THE PURPOSE OF MAKING PAYMENTS UNDER
26 SECTIONS 11, 12, AND 13 AFTER THE DATE OF CERTIFICATION BUT
27 BEFORE OCTOBER 1 OF THE YEAR FOR WHICH THE NEXT STATEWIDE FEDERAL

1 CENSUS OR SPECIAL STATEWIDE CENSUS IS CONDUCTED, THE COMPUTATION
2 OF POPULATION OF THE COUNTY AND OF THE CITY, VILLAGE, OR TOWNSHIP
3 IN WHICH A STATE TAX-SUPPORTED PENAL INSTITUTION IS LOCATED SHALL
4 BE ADJUSTED TO REFLECT 100% OF THE NUMBER OF PRISONERS COMMITTED
5 TO THAT INSTITUTION ACCORDING TO THE CENSUS CERTIFIED BY THE
6 DIRECTOR OF THE DEPARTMENT OF CORRECTIONS. The population of a
7 township is its population outside the corporate limits of vil-
8 lages in the township. The population data used in determining
9 distributions under this act in a year in which a federal decen-
10 nial statewide census, federal mid-decade statewide census, or
11 special statewide census provided by law is conducted shall
12 become effective for distributions made on and after October 1 of
13 the year for which the respective census is conducted. Once the
14 official population data from a federal decennial statewide
15 census, federal mid-decade statewide census, or special statewide
16 census provided by law is certified and published, the department
17 of management and budget shall calculate any overpayment or
18 underpayment made to a local unit of government since the effec-
19 tive date of the respective census and make adjustments in future
20 distributions to the local unit of government to correct these
21 overpayments or underpayments of revenue distributed pursuant to
22 this act.

23 (2) "Rate" means a figure determined each May 15 by the
24 department of management and budget pursuant to this act from
25 applicable tax data for the preceding calendar year as reported
26 to it by the department of treasury and applicable to payments
27 made during the succeeding period of July 1 to June 30.