



HOUSE BILL No. 4835

June 3, 1993, Introduced by Reps. Nye, Byrum, McNutt, Walberg, Bullard and Allen and referred to the Committee on Local Government.

A bill to amend chapter 14 of the Revised Statutes of 1846, entitled

"Of county officers,"

as amended by Act No. 313 of the Public Acts of 1982, being section 51.77 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Chapter 14 of the Revised Statutes of 1846, as
2 amended by Act No. 313 of the Public Acts of 1982, being section
3 51.77 of the Michigan Compiled Laws, is amended to read as
4 follows:

5 Sec. 77. (1) Before a county may obtain its grant from the
6 amount annually appropriated for secondary road patrol and traf-
7 fic accident prevention to implement section 76, the county shall
8 enter into an agreement for the secondary road patrol and traffic
9 accident prevention services with the office of criminal

1 justice. A county applying for a grant for secondary road patrol
2 and traffic accident prevention shall provide information rela-
3 tive to the services to be provided under section 76 by the
4 sheriff's department of the county, which information shall be
5 submitted on forms provided by the office of criminal justice.
6 By April 1 of each year following a year for which the county
7 received an allocation, a county which receives a grant for sec-
8 ondary road patrol and traffic accident prevention shall submit a
9 report to the office of criminal justice on a form provided by
10 the office of criminal justice. The report shall contain the
11 information described in subsection ~~(6)~~ (5). ~~An agreement~~
12 ~~entered into under this section shall be void if the county~~
13 ~~reduces its expenditures or level of road patrol below that which~~
14 ~~the county was expending or providing immediately before October~~
15 ~~1, 1978, unless the county is required to reduce general services~~
16 ~~because of economic conditions and is not merely reducing law~~
17 ~~enforcement services.~~

18 (2) A grant received by a county for secondary road patrol
19 and traffic accident prevention shall be expended only for the
20 purposes described in section 76 pursuant to the recommendations
21 of the sheriff of that county, and which are approved by the
22 county board of commissioners. The recommendations shall be rel-
23 ative to the following matters:

24 (a) Employing additional personnel to provide the services
25 described in section 76(2) and (3).

1 (b) Purchasing additional equipment for providing the
2 services described in section 76(2) and (3) and operating and
3 maintaining that equipment.

4 (c) Enforcing laws in state parks and county parks within
5 the county.

6 (d) Providing selective motor vehicle inspection programs.

7 (e) Providing traffic safety information and education
8 programs. ~~in addition to those programs provided before~~
9 ~~September 28, 1978.~~

10 (3) The sheriff's department of a county is required to pro-
11 vide the expanded services described in section 76 only to the
12 extent that state funds are provided.

13 ~~(4) For the fiscal years beginning October 1, 1980, and~~
14 ~~October 1, 1981, a county's share of the amount annually appro-~~
15 ~~priated for secondary road patrol and traffic accident prevention~~
16 ~~shall be the same percentage that the county received, or was~~
17 ~~eligible to receive, of the total amount allocated to all coun-~~
18 ~~ties pursuant to section 12 of Act No. 51 of the Public Acts of~~
19 ~~1951, as amended, being section 247.662 of the Michigan Compiled~~
20 ~~Laws, less the amounts distributed for snow removal and engi-~~
21 ~~neers, during the period of July 1, 1976, through June 30, 1977.~~
22 ~~County primary roads and county local roads within the boundaries~~
23 ~~of a city or village shall not be used in determining the percen-~~
24 ~~tage under this section unless the sheriff's department of the~~
25 ~~county is providing the services described in section 76(2) and~~
26 ~~(3) within the city or village pursuant to an agreement between~~
27 ~~the county and the city or village adopted after October 1,~~

~~1 1978. The agreement shall not be reimbursable under the formula~~
~~2 described in this subsection unless the city or village is~~
~~3 required to reduce general services because of economic condi-~~
~~4 tions and is not merely reducing law enforcement services.~~

5 (4) ~~(5)~~ From the amount annually appropriated for second-
6 ary road patrol and traffic accident prevention, the office of
7 criminal justice may be allocated up to 1% for administrative,
8 planning, and reporting purposes.

9 (5) ~~(6)~~ The annual report required under subsection (1)
10 shall include ALL OF the following:

11 (a) A description of the services provided by the sheriff's
12 department of the county under section 76, other than the serv-
13 ices provided in a county park.

14 (b) A description of the services provided by the sheriff's
15 department of the county under section 76 in county parks in the
16 county.

17 (c) A copy of each resolution by a city or village of the
18 county which requests the sheriff's department of the county to
19 provide the services described in section 76.

20 (d) A copy of each contract between a county and a township
21 of the county in which township the sheriff's department is pro-
22 viding a law enforcement service.

23 (e) The recommendations of the sheriff's department of the
24 county on methods of improving the services provided under sec-
25 tion 76; improving the training programs of law enforcement offi-
26 cers; and improving the communications system of the sheriff's
27 department.

1 (f) The total number of sworn officers in the sheriff's
2 department.

3 (g) The number of sworn officers in the sheriff's department
4 assigned to road safety programs.

5 (h) The accident and fatality data for incorporated and
6 unincorporated areas of the county during the preceding calendar
7 year.

8 (i) The crime statistics for the incorporated and unincor-
9 porated areas of the county during the preceding calendar year.

10 (j) The law enforcement plan developed under subsection
11 ~~(7)~~ (6).

12 (k) A description of the role alcohol played in the inci-
13 dences of personal injury traffic accidents and traffic fatali-
14 ties in the county.

15 (l) Other information required by the department of manage-
16 ment and budget.

17 (6) ~~(7)~~ The sheriff of each county, the director of the
18 department of state police, and the director of the office of
19 criminal justice or their authorized representatives shall meet
20 and develop a law enforcement plan for the unincorporated areas
21 of the county. The law enforcement plan shall be reviewed and
22 updated periodically.

23 (7) ~~(8)~~ Before May 1 of each year, the office of criminal
24 justice shall submit a report to the legislature. The report
25 shall contain the following:

1 (a) A copy of each initial report filed before April 1 of
2 that year and a copy of each annual report filed before April 1
3 of that year under subsection ~~(6)~~ (5).

4 (b) The recommendations of the office of criminal justice on
5 methods of improving the coordination of the law enforcement
6 agencies of this state and the counties, cities, villages, and
7 townships of this state; improving the training programs for law
8 enforcement officers; and improving the communications systems of
9 those agencies.

10 (c) A description of the role alcohol played in the inci-
11 dences of personal injury traffic accidents and traffic fatali-
12 ties in this state.

13 (8) ~~(9)~~ From the 1% allocated to the office of criminal
14 justice for administration, planning, and reporting, the office
15 of criminal justice shall conduct an impact and cost effective-
16 ness study which will review state, county, and local road patrol
17 and traffic accident prevention efforts. This study shall be
18 conducted in cooperation with the Michigan sheriffs' association,
19 the Michigan association of chiefs of police, and the department
20 of state police. Annual reports on results of the study shall be
21 submitted to the senate and house appropriations committees by
22 April 1 of each year.