

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 5977 (Substitute H-2 as reported without amendment)

House Bill 5978 (Substitute S-1 as reported)

Sponsor: Representative Randy Richardville (H.B. 5977)

Representative Mike Kowall (H.B. 5978)

House Committee: Criminal Justice

Senate Committee: Judiciary

CONTENT

House Bill 5977 (H-2) would enact the "Local Corrections Officers Training Act" to do the following:

- Require the certification and recertification of local corrections officers.
- Create the seven-member Sheriffs Coordinating and Training Council and require it, within one year after the bill's effective date, to approve minimum standards and requirements for local corrections officers with respect to selection and certification, training programs, course content, recertification, and decertification.
- Create the Sheriffs Coordinating and Training Office as an autonomous entity in the Department of Corrections, and provided that the Council would be the head of the Office.
- Create the nine-member Local Corrections Officers Advisory Board within the Council to develop and recommend minimum standards and requirements for local corrections officers.
- Create the "Local Corrections Officers Training Fund" to defray the costs of certifying and training local corrections officers, and to cover administrative costs and related expenditures.
- Provide that only counties that forwarded 100% of the fees collected under House Bill 5978 would be eligible for grants from the Fund.

House Bill 5978 (S-1) would amend the act that governs county jails to:

- Require each individual incarcerated in a county jail to pay a \$12 fee upon admittance.
- Require a county sheriff to forward the all of the fees to the Local Corrections Officers Training Fund (unless the following provision applied).
- Allow a county to keep \$10 of each fee for continuing education, certification, and training of local corrections officers and inmate programs, if 1) the county required local corrections officers to complete at least 160 hours of training recommended by the Correctional Officers' Training Council, or 2) the Sheriffs Coordinating and Training Council certified that the county's training standards and requirements equaled or exceeded the Council-approved standards and requirements.
- Provide that an inmate who failed to pay the \$12 fee before being discharged would be liable for a civil fine of \$100, which the sheriff would have to forward to the proposed Fund.
- Provide for a refund of the fee to a person whose prosecution was terminated or who was found not guilty.

The bills are tie-barred.

Proposed MCL 801.4b (H.B. 5978)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local government.

House Bill 5977 (H-2) would create the Sheriffs Coordinating and Training Office as an autonomous entity within the Department of Corrections (DOC). According to the bill, the DOC would not be fiscally responsible for the Office. Costs would include expense reimbursement for the seven-member Council, administrative support services and an executive secretary for the Council, and grants to counties to defray the costs of continuing education, certification, recertification, decertification, and training of local corrections officers. The Council would be funded by revenues generated from the collection of a \$12 fee assessed to each person incarcerated in a county jail. County sheriffs would be responsible for collecting the fees and sending the quarterly revenue to the Department of Treasury, which would maintain the Local Corrections Officers Training Fund.

According to 2001 jail data reported by counties to the DOC, which represents approximately 90% of jail beds statewide, there were 287,380 admissions to jail. If one assumes a 100% collection rate for those admissions, and that the resulting revenue would represent 90% of statewide revenue, then the bills could generate up to \$3.8 million. Thus, a 50% collection rate would generate approximately \$1.9 million. The bills would allow counties that already met certain training requirements to retain \$10 of each fee for additional education, certification, training, etc. Those counties would be required to send only the remaining \$2 per prisoner to the Local Corrections Officers Training Fund. There are no data to indicate how many counties this would apply to and how this would affect the potential statewide revenue. Only counties that sent 100% of the collected fees would be eligible to apply for grants from the Fund.

Although House Bill 5977 (H-2) would require the Council to establish minimum training requirements for certification as a local corrections officer, a 160-hour training course has been developed for local corrections officers under the Correctional Officers' Training Act. In 2002, this course was offered at Kirtland Community College at a cost of \$12,500 for a class capacity of 25. Assuming similar costs, the required training would cost approximately \$500 per officer. This figure, however, is based on an assumption of free classroom space, and it does not include the costs of lodging, meals, salaries, or benefits for officers while in training, or overtime or other costs that local agencies could incur while officers were in training. Training would be required only for those officers hired after January 1, 2004.

Date Completed: 12-11-02

Fiscal Analyst: Bethany Wicksall
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