

HOUSE BILL No. 4091

(As amended February 14, 2002)

January 31, 2001, Introduced by Reps. Switalski and Minore and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 323d (MCL 257.323d), as added by 1993 PA
359.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 323d. (1) The drug case information management fund is
2 created as a separate fund in the state treasury. The purpose of
3 the fund is to help defray the costs of complying with require-
4 ments for the timely management and reporting to the secretary of
5 state of information concerning cases involving an attempt to
6 violate, a conspiracy to violate, or a violation of part 74 [~~or~~
7 ~~section 17766a~~] of the public health code, ~~Act No. 368 of the~~
8 ~~Public Acts of 1978, being sections 333.7401 to 333.7461 and~~
9 ~~333.17766a of the Michigan Compiled Laws~~ 1978 PA 368, MCL
10 333.7401 to 333.7461 [~~and 333.17766a, ,~~] or of a local ordinance that

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1 prohibits conduct prohibited under part 74 [~~or section 17766a~~] of
2 ~~Act No. 368 of the Public Acts of 1978~~ 1978 PA 368, MCL
3 333.7401 TO 333.7461 [.] Money in the fund shall be
4 expended only as provided in subsection (3).

5 (2) The state treasurer shall credit the drug case informa-
6 tion management fund with the money collected from license rein-
7 statement fees as provided in section ~~320e(2)~~ 320E(3). The
8 state treasurer may invest money contained in the drug case
9 information management fund in any manner authorized by law for
10 the investment of state money. However, an investment shall not
11 interfere with any apportionment, allocation, or payment of money
12 as required by this section. The state treasurer shall credit
13 all earnings from the fund to the fund. Money in the fund at the
14 end of the fiscal year shall remain in the fund and shall not
15 revert to the general fund.

(3) The state court administrator, at the direction of the supreme court and upon confirmation of the amount by the state treasurer, shall distribute from the drug case information management fund the total amount available in a fiscal year to each circuit of the circuit court, each district of the district court, and each ~~probate~~ MUNICIPAL court as provided in this subsection. The state court administrator, after reimbursement of costs as provided in this subsection, shall distribute the balance of the drug case information management fund annually after costs are disbursed to each circuit of the circuit court, each district of the district court, and each ~~probate~~ MUNICIPAL court in an amount determined by multiplying the amount available

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1 for distribution by a fraction, the numerator of which is the
2 number of cases in which the defendant was charged with an
3 attempt to violate, a conspiracy to violate, or a violation of
4 part 74 [~~or section 17766a~~] of ~~Act No. 368 of the Public Acts of~~
5 ~~1978~~ 1978 PA 368, MCL 333.7401 TO 333.7461 [,] or a
6 local ordinance that prohibits conduct prohibited under part 74
7 [~~or section 17766a~~] of ~~Act No. 368 of the Public Acts of 1978~~
8 1978 PA 368, MCL 333.7401 TO 333.7461 [,] in the
9 prior calendar year in that circuit of the circuit court, that
10 district of the district court, or that ~~probate~~ MUNICIPAL
11 court, as certified by the state court administrator, and the
12 denominator of which is the total number of cases in all circuits
13 of the circuit court, all districts of the district court, and
14 all ~~probate~~ MUNICIPAL courts in which the defendant was charged
15 with an attempt to violate, a conspiracy to violate, or a viola-
16 tion of part 74 [~~of section 17766a~~] of ~~Act No. 368 of the Public~~
17 ~~Acts of 1978~~ 1978 PA 368, MCL 333.7401 TO 333.7461 [,]
18] or a local ordinance that prohibits conduct prohib-
19 ited under part 74 [~~or section 17766a~~] of ~~Act No. 368 of the~~
20 ~~Public Acts of 1978~~ 1978 PA 368, MCL 333.7401 TO 333.7461 [.
21] The state court administrative office shall be reim-
22 bursed annually from the drug case information management fund
23 for all reasonable costs associated with the administration of
24 this section, including judicial and staff training, on-site man-
25 agement assistance, forms development and conversion, and soft-
26 ware development and conversion.

[Enacting section 1. This amendatory act takes effect January 1, 2003.]

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