

Act No. 124
Public Acts of 2003
Approved by the Governor
July 31, 2003
Filed with the Secretary of State
August 1, 2003
EFFECTIVE DATE: October 1, 2003

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2003**

Introduced by Reps. Wojno, Richardville, Amos, Howell, Nofs, Stakoe, Gaffney, LaSata, Vander Veen, Voorhees, Ruth Johnson, Woodward, Rivet, DeRossett, Hune, DeRoche, Huizenga, Woronchak, Rocca, McConico, Byrum and Condino

ENROLLED HOUSE BILL No. 4517

AN ACT to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," (MCL 801.1 to 801.27) by adding section 4b.

The People of the State of Michigan enact:

Sec. 4b. (1) Beginning August 1, 2003, each person who is incarcerated in the county jail shall pay a fee of \$12.00 to the county sheriff when the person is admitted into the jail.

(2) The county sheriff may collect a fee owed under this section by withdrawing that amount from any inmate account maintained by the sheriff for that inmate.

(3) Except as provided in subsections (4) and (5), the sheriff, once each calendar quarter, shall forward all fees collected under this section to the local corrections officers training fund created in the local corrections officers training act.

(4) The revenue derived from fees collected under this section shall be directed in the manner provided in subsection (5) in a county for which the sheriffs coordinating and training council has certified that the county's standards and requirements for the training of local corrections officers equals or exceeds the standards and requirements approved by the sheriffs coordinating and training council under the local corrections officers training act.

(5) In a county that meets the criteria in subsection (4), both of the following apply:

(a) Once each calendar quarter, the sheriff shall forward \$2.00 of each fee collected to the state treasurer for deposit in the local corrections officers training fund created in the local corrections officers training act.

(b) The remaining \$10.00 of each fee shall be retained in that county, to be used only for costs relating to the continuing education, certification, recertification, and training of local corrections officers and inmate programs including substance abuse and mental health programs in that county. However, revenue from the fees shall not be used to supplant current spending by the county for continuing education, certification, recertification, and training of local corrections officers.

(6) An inmate who fails to pay a fee owed under this section before being discharged from the jail is responsible for a state civil infraction and may be ordered to pay a civil fine of \$100.00. An appearance ticket may be issued to a person who fails to pay a fee owed under this section. The appearance ticket may be issued by the sheriff or a deputy sheriff. The county prosecutor for the county in which the jail is located is responsible for enforcing the state civil infraction. A civil fine collected under this section shall be paid as provided under section 8831 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8831.

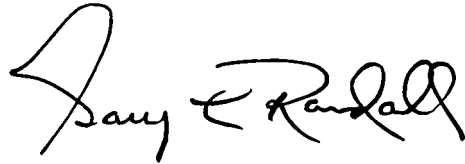
(7) A person who is incarcerated in a jail pending trial or arraignment is entitled to a full refund of the fee paid under this section if the prosecution against him or her is terminated for any reason or if he or she is found not guilty of the charges. Each person required to pay a fee under this section shall be given a written form explaining the circumstances under which he or she may request a refund under this subsection. The form shall be as prescribed in section 15 of the local corrections officers training act.

Enacting section 1. This amendatory act takes effect October 1, 2003.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 92nd Legislature are enacted into law:

- (a) House Bill No. 4515.
- (b) House Bill No. 4516.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor