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BILL ANALYSIS

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Senate Bill 1428 (as introduced 9-13-06)
Sponsor: Senator Alan L. Cropsey
Committee: Judiciary

Date Completed: 9-19-06

CONTENT

The bill would amend the Revised Judicature Act to allow a court that had adopted a drug treatment court (drug court) to accept participants from any other jurisdiction in Michigan based upon either a participant's residence in the receiving jurisdiction or the unavailability of a drug treatment court in the jurisdiction where the participant was charged.

The transfer would have to occur pursuant to guidelines promulgated by the State Court Administrator and would not be valid unless agreed to by all of the following:

- The defendant.
- The judge, prosecuting attorney, and defense attorney of the transferring court.
- The judge and the prosecuting attorney of the receiving drug court.

The bill also would require that a drug court comply with the 10 key components promulgated by the National Association of Drug Court Professionals. Currently, the Act states that a drug court "should" comply with those key components.

MCL 600.1060 & 600.1062

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State government. The impact on local units of government is indeterminate. The bill does not specify whether the transferring jurisdiction or the receiving jurisdiction would bear the cost of the individual in drug treatment court. Because the local units are required to match a portion of the Federal and State funds for drug treatment courts, both receiving and transferring units could see a fiscal impact from the bill if the transferring unit were required to bear the cost.

Fiscal Analyst: Stephanie Yu

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