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Senate Bills 92, 93, 95, and 96 (as introduced 2-10-15)

Sponsor: Senator Tonya Schuitmaker (S.B. 92 & 93)

Senator Margaret E. O'Brien (S.B. 95 & 96)

Committee: Judiciary

Date Completed: 2-17-15

CONTENT

Senate Bill 92 would amend the Commission on Law Enforcement Standards Act to do the following:

- **Codify the 17-member Michigan Commission on Law Enforcement Standards (MCOLES), which was created by an Executive Reorganization Order.**
- **Require MCOLES to promulgate rules governing law enforcement officer licensing standards, instead of establishing minimum standards.**
- **Require MCOLES to grant a license, rather than certification, to a person who meets the licensing standards and will be employed as a law enforcement officer.**
- **Establish separate licensure requirements for sheriffs, tribal law enforcement officers, and locally appointed fire arson investigators.**
- **Authorize MCOLES to investigate alleged violations of the Act or rules promulgated under it.**
- **Specify that a petition for judicial review of a final decision or order of MCOLES could be adjudicated only in the Circuit Court for Ingham County, and the Commission would have standing in that court for an action to compel compliance with the Act.**
- **Revise provisions regarding police training academies.**
- **Allow MCOLES to use money from the Secondary Road Patrol and Training Fund for reasonable expenses of performing its functions and reimbursing law enforcement agencies for reasonable costs of law enforcement education.**
- **Require a licensed law enforcement officer to inform MCOLES when he or she was charged with a particular offense or was subject to a personal protection order.**

The bill would repeal Sections 4, 9d, and 16 of the Act, which deal with MCOLES members' terms of office, law enforcement agencies' maintenance of employment history records, and the Act's original effective date.

The bill also would rename the Act as the "Michigan Commission on Law Enforcement Standards Act".

Senate Bill 93 would amend Public Act 302 of 1982, which created the Michigan Justice Training Commission and the Michigan Justice Training Fund, to do the following:

- **Delete and replace most of the provisions of the Act, regarding use of the Michigan Justice Training Fund.**

- **Require MCOLES to use the Fund to make law enforcement distributions to law enforcement agencies, pay the reasonable expenses of providing MCOLES staff services and administering and enforcing the Act and the MCOLES Act, and awarding grants.**
- **Specify that money in the Fund that was not distributed in a fiscal year in which it was meant to be used for the purposes described above would remain in the Fund and could be used in future fiscal years for the designated purpose.**
- **Require MCOLES to conduct an annual registration of law enforcement agencies to verify each agency's roster of full-time and part-time officers and the number of hours for which they were compensated in the most recent calendar year.**
- **Require MCOLES annually to distribute 60% of the Fund for law enforcement distributions, in two semiannual installments, on a per full-time equated basis to eligible entities based on the number of full-time equated officers employed.**
- **Cap the reported hours of compensation at 2,080 hours for any individual officer, for purposes of the law enforcement distribution.**
- **Regulate an eligible entity's use of funds from a law enforcement distribution, and limit the use of a distribution to certain training and educational purposes.**
- **Allow MCOLES to award grants for the provision of criminal justice in-service training for law enforcement officers.**
- **Prohibit MCOLES from awarding grants to a professional association.**
- **Regulate a grantee's use of funds from a grant award.**
- **Require criminal justice in-service training courses to be registered through the MCOLES Information and Tracking Network.**
- **Specify that the Fund's books, records, and accounts could be subject to audit by the Auditor General every two years, instead of requiring an audit every two years.**

Senate Bill 95 would amend the Revised Judicature Act to revise citations to certain funds and the Acts that created them.

Senate Bill 96 would amend the Code of Criminal Procedure to refer to MCOLES and the MCOLES Act.

Senate Bills 93, 95, and 96 are tie-barred to Senate Bill 92.

A more detailed description of Senate Bills 92 and 93 follows.

Senate Bill 92

Commission on Law Enforcement Standards

The Commission on Law Enforcement Standards Act provides for an 11-member Commission on Law Enforcement Standards. Executive Reorganization Order (ERO) 2001-2 provides for a 17-member Michigan Commission on Law Enforcement Standards. The bill essentially would amend the statute to reflect MCOLES membership as prescribed by ERO 2001-2. The ERO, however, includes on the Commission the chief of a police department of a city that has a population of more than 750,000, or the chief's designee who is a command officer within that department. The bill would refer to a city with a population of more than 600,000. (Detroit is the only Michigan city with a population of more than 600,000, and no longer has a population over 750,000.)

In addition, the bill would include on MCOLES one individual selected from a list of at least three individuals submitted by a police association not otherwise represented on the Commission representing law enforcement officers employed by a law enforcement agency employing more than 10% of the police officers in the State. The ERO includes such a member but refers to a police agency employing more than 15% of the police officers in Michigan.

The bill would delete a provision specifying that the Commission does not have the right to exercise any portion of the sovereign power of the State.

The Act requires the Commission to establish its own procedures and requirements with respect to quorum, place and conduct of its meetings, and other matters. The bill specifies that the Commission also could establish other procedures and requirements governing its operations to carry out the intent of the Act.

The Commission must make an annual report to the Governor that includes pertinent data regarding the law enforcement officer minimum standards and the degree of participation of municipalities in training programs. The bill also would require the report to include any other information the Governor requested or the Commission considered appropriate.

The Act requires the Commission to appoint an executive director, who holds office at the pleasure of the Commission. The bill specifies that the executive director would be an employee of the Commission.

Law Enforcement Licensure

Licensing Standards. The Act requires the Commission to promulgate rules to establish law enforcement officer minimum standards and specifies certain standards that must be included. It also requires the Commission to promulgate other rules regarding in-service training programs, the establishment of regional training centers, the approval of police training schools, and the acceptance of basic police training and law enforcement experience received by a person in fulfillment of the minimum standards. The Commission must grant certification to a person who meets the law enforcement officer minimum standards, and to certain others, such as an elected sheriff and a person who was employed as a law enforcement officer before January 1, 1977. The bill would delete those provisions.

Under the bill, MCOLES would have to promulgate rules governing licensing standards and procedures for individuals licensed under the Act. In promulgating the rules, the Commission would have to give consideration to the varying factors and special requirements of law enforcement agencies. The rules would have to pertain to the following:

- Training requirements, including courses of study, attendance requirements, and instructional hours at a training academy and the recognition of prior training experience.
- Proficiency on a licensing examination administered after compliance with training requirements.
- Physical ability.
- Psychological fitness.
- Education.
- Reading and writing proficiency.
- Minimum age.
- Valid driver license.
- Character fitness, as determined by a background investigation.
- United States citizenship.
- Employment as a law enforcement officer.
- Execution of a written oath of office by the employing law enforcement agency, conferring authority to act as a law enforcement officer.

The bill would require licensure to comply with certain procedures regarding employment and execution of an oath of office, including the following:

- Before executing the oath of office, an employing law enforcement agency would have to verify that the person to whom the oath was to be administered complied with the licensing standards.
- An agency employing a person licensed under the Act would have to authorize the person to exercise law enforcement authority by executing a written oath of office.
- Within 10 days after executing the oath, the employing law enforcement agency would have to attest in writing to MCOLES that the person to whom the oath was administered complied with the licensing standards, by submitting an executed affidavit and a copy of the oath of office.
- If, upon reviewing the affidavit and oath, MCOLES determined that the person complied with the licensing standards, it would have to grant a license to that person.

If, upon reviewing the affidavit and oath, MCOLES determined that the person did not comply with the licensing standards, it could do any of the following:

- Supervise the remediation of errors or omissions in the affidavit and oath.
- Supervise the remediation of errors or omissions in the screening, procedures, examinations, testing, and other means used to verify compliance with the licensing standards.
- Supervise additional screening, procedures, examinations, testing, and other means used to determine compliance with the licensing standards.
- Deny the issuance of a license and inform the employing law enforcement agency.

Upon being informed that MCOLES had denied issuance of a license, the employing law enforcement agency would have to promptly inform the individual who was denied the license. After being informed of the denial, the person could not exercise the law enforcement authority described in Michigan laws under which he or she was employed.

An individual licensed by MCOLES could not exercise the law enforcement authority described in Michigan laws under which he or she was employed if the person's license were rendered void by a court order or other operation of law, revoked, rendered inactive, or rendered lapsed.

The bill would require an individual or organization to whom an inquiry was made concerning a person's compliance with the Act's licensing standards to respond to the inquiry within 45 calendar days. The individual or organization responding to an inquiry could charge the inquiring party reasonable fees to cover actual costs for producing information, documents, and other items requested.

Agency Reporting to MCOLES. A law enforcement agency that had administered an oath of office to a person would have to do the following with respect to that individual:

- Report to MCOLES all personnel transactions affecting employment status, in a manner prescribed in rules promulgated by the Commission.
- Report to MCOLES action taken by the employing agency that removed the authority conferred by the oath of office, and restoration of that authority.
- Maintain an employment history record.
- Collect, verify, and maintain documentation establishing that he or she complied with the licensing standards.

Reporting of Charges & PPO. An individual licensed by MCOLES would have to report to MCOLES criminal charges for offenses for which his or her licensure could be revoked, upon being informed of those charges. A licensee also would have to report to the Commission the imposition of a personal protection order against him or her in a domestic violence or stalking

situation. Notification would have to be in a manner prescribed in rules promulgated by MCOLES.

Inactive License. A license issued under the Act would be rendered inactive, and could be reactivated, if any of the following applied:

- A person, having been employed as a law enforcement officer in aggregate for less than 2,080 hours, was then continuously not employed in that capacity for less than one year.
- A person, having been employed as a law enforcement officer in aggregate for less than 2,080 hours, was then continuously subjected to a removal of the authority conferred by the oath of office for less than one year.
- A person, having been employed as a law enforcement officer in aggregate for 2,080 hours or longer, was then continuously not employed in that capacity for less than two years.

An employing agency could reactivate a license rendered inactive by complying with the bill's licensure procedures, excluding verification of and attestation to compliance with the licensing standards. A license that was reactivated would be valid for all purposes of the Act.

Lapsed License. A license issued under the Act would be rendered lapsed, without barring further licensure under the Act, if any of the following applied:

- A person, having been employed as a law enforcement officer in aggregate for less than 2,080 hours, was then continuously not employed in that capacity for one year.
- A person, having been employed as a law enforcement officer in aggregate for less than 2,080 hours, was then continuously subjected to a removal of the authority conferred by the oath of office for one year.
- A person, having been employed as a law enforcement officer in aggregate for 2,080 hours or longer, was then continuously not employed in that capacity for two years.
- A person, having been employed as a law enforcement officer in aggregate for 2,080 hours or longer, was continuously subjected to removal of the authority conferred by the oath of office for two years.

Revocation of License. The Act requires the Commission to promulgate rules that provide for the revocation of certification of a law enforcement officer for certain actions. The bill would delete that provision. Under the bill, MCOLES would have to revoke a license granted under the Act for any of the following and would have to promulgate rules governing the revocations:

- A person obtained a license by making a materially false oral or written statement or committing fraud in an affidavit, disclosure, or application to a training academy, MCOLES, or a law enforcement agency.
- A person obtained the license because another individual made a materially false statement or committed fraud as described above.
- A person had been subjected to an adjudication of guilt for any violation or attempted violation of a penal law of this State or another jurisdiction that is punishable by more than one year's imprisonment.
- A person had been subjected to an adjudication of guilt for a violation or attempted violation of penal laws of this State or another jurisdiction involving certain assault, stalking, controlled substance, or repeat drunk or drugged driving offenses.

The Commission would have to initiate license revocation proceedings, including issuance of an order of summary suspension and notice of intent to revoke, upon obtaining notice of facts warranting revocation. A hearing for license revocation would have to be conducted as a contested case under the Administrative Procedures Act (APA). Instead of participating in a contested case, a person could voluntarily and permanently relinquish his or her law

enforcement officer license by executing before a notary public an affidavit of license relinquishment prescribed by the Commission.

The Commission would not have to delay or abate a license revocation proceeding based on an adjudication of guilt if an appeal were taken from that adjudication.

If MCOLES issued a final decision or order to revoke a license, the decision or order would be subject to judicial review as provided in the APA. A summary suspension would not be a final decision or order for purposes of judicial review.

Sheriffs, Tribal Officers, & Arson Investigators. The bill includes licensure provisions similar to those described above that are specifically geared toward sheriffs, tribal officers, and fire arson investigators.

The provisions pertaining to an elected or appointed sheriff would not include the training and experience requirements otherwise required for licensure or the provisions relating to a license rendered inactive or lapsed.

Judicial Review

Currently, MCOLES is authorized to investigate alleged violations of the Commission on Law Enforcement Standards Act or rules promulgated under it. The Commission may hold hearings, administer oaths, issue subpoenas, and order testimony to be taken at a hearing or by deposition. A final decision or order is subject to judicial review as provided under the APA. The bill would delete and re-enact those provisions.

The bill specifies that a petition for judicial review of a final decision or order of the Commission could be adjudicated only in the Circuit Court for Ingham County.

Under the bill, the Commission also would have standing to commence an action in the Circuit Court for Ingham County to compel compliance with the Act or an administrative rule promulgated under it.

Training Academies

The Act authorizes the Commission to visit and inspect police training schools, issue certificates of approval to those schools, and take other actions with respect to police training schools.

The bill would delete those provisions and instead authorize MCOLES to take similar actions with regard to agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.

Use of Secondary Road Patrol & Training Fund

The bill would authorize MCOLES to use money from the Secondary Road Patrol and Training Fund for either of the following:

- The reasonable expenses of performing statutory functions authorized in the Act.
- Reimbursement to law enforcement agencies for reasonable costs incurred in providing education to their employees who were enrolled in law enforcement training academies for the purpose of being employed by the agencies as licensed law enforcement officers.

A law enforcement agency seeking reimbursement from the Secondary Road Patrol and Training Fund would have to apply using procedures and forms established by MCOLES.

The bill also would delete provisions that created in the State Treasury a Law Enforcement Officers Training Fund, require the Legislature to appropriate sums from the Fund necessary for the Act's purposes, and specify how amounts appropriated from the Fund must be paid. (All of the authority, powers, duties, functions, and responsibilities of that Fund were transferred to MCOLES by ERO 2001-2.)

Senate Bill 93

Justice Training Fund

Public Act 302 of 1982 created the Michigan Justice Training Commission and the Michigan Justice Training Fund. That Commission and Fund were transferred to MCOLES under ERO 2001-2. The bill would delete and replace the bulk of Public Act 302.

Money from the Michigan Justice Training Fund could be used only as provided under the bill. Investment earnings derived from Fund assets would have to be deposited into the Fund. The Commission could promulgate rules governing the administration and use of the Fund.

Under the bill, MCOLES could use the Fund for the following purposes:

- Making law enforcement distributions.
- Paying the reasonable expenses of providing staff services to the Commission for administering and enforcing the statutory requirements of Public Act 302, and administering and enforcing the requirements of the MCOLES Act.
- Awarding grants as provided in Public Act 302.

Money in the Fund that was not distributed in a fiscal year and that was to be distributed as law enforcement distributions would have to remain in the Fund and could be used in future years for purposes of law enforcement distributions.

Money in the Fund that was not distributed in a fiscal year and that was to be used for reasonable expenses of providing staff services to MCOLES or for administering and enforcing the MCOLES Act would have to remain in the Fund and could be used in future fiscal years for those purposes.

Money in the Fund that was not distributed in a fiscal year and that was to be distributed to fund current or future grant awards would have to remain in the Fund and could be used in future fiscal years for that purpose.

Annual Registration

The bill would require MCOLES to conduct an annual registration of law enforcement agencies to verify each agency's roster of full-time and part-time law enforcement officers, and the number of hours for which they were compensated in the most recent elapsed calendar year. For purposes of a law enforcement distribution, the reported hours of compensation would have to be capped at 2,080 hours for any individual officer.

As part of the annual registration, each agency would have to indicate to MCOLES whether it elected to receive law enforcement distributions for the current year. An agency that elected not to receive distributions could not receive them for the current year but would have to comply with all applicable requirements of Public Act 302 until all previously received law enforcement distribution funds had been spent or returned as required in the Act.

Law Enforcement Distributions

The Commission annually would have to distribute 60% of the Michigan Justice Training Fund for law enforcement distributions, in two semiannual installments, on dates determined by the Commission. The distributions would have to be made on a per full-time equated (FTE) basis to eligible entities based on the number of FTE law enforcement officers employed. The number of FTE officers would have to be determined by dividing the total number of hours the eligible entity reported during the annual registration for which its full-time and part-time law enforcement officers were compensated in the most recent calendar year by 2,080 hours, rounded down to the nearest whole number greater than or equal to one.

If the Fund had sufficient funds, an eligible entity whose number of FTE officers did not support a minimum annual distribution of \$500 would have to receive a minimum annual distribution of that amount.

For each year, the percentage of law enforcement officers who provided direct law enforcement service receiving training under Public Act 302 would have to be equal to or greater than the percentage of officers who were in full-time administrative positions receiving training under the Act.

The bill would define "eligible entity" as a governmental agency of the executive branch of this State or a subdivision of the State that is established and maintained in accordance with Michigan laws and that is authorized by the laws of this State to employ or appoint law enforcement officers licensed under the MCOLES Act.

Use of Distribution Funds

Funds received from a distribution would have to be deposited and maintained in an account separate from all other funds. An eligible entity could spend funds from a distribution only for the following purposes.

- Criminal justice in-service training that was designed and intended to enhance the direct delivery of criminal justice services by law enforcement officers.
- Direct costs (as described below).
- Costs incurred to participate in an in-State criminal justice in-service training program.
- Payment of certain out-of-State criminal justice in-service training expenses.

Direct costs would include the following:

- The actual costs of training materials necessary to, and used solely during, the direct delivery of criminal justice in-service training.
- The reasonable rental cost or purchase price of equipment necessary to and used solely during the direct delivery of criminal justice in-service training, not to exceed \$5,000 or 10% of an eligible entity's annual distribution without prior written approval from MCOLES.
- The rental of training facilities, only if adequate facilities owned or operated by the eligible entity were not available.
- A flat rate, tuition, or subscription paid to a training provider, other than the eligible entity, for the delivery of criminal justice in-service training, but only if the training were registered through MCOLES before the dates on which it was conducted.

Costs incurred to participate in an in-State criminal justice in-service training program would be subject to the following restrictions:

- For tuition costs, only if the training course were registered through MCOLES before the dates on which training was conducted.

- For travel reimbursement at applicable rates authorized for members of the State classified civil service, only if the training course were registered through MCOLES before the dates on which training was conducted.
- For in-State instructor travel reimbursement, at applicable reimbursement rates for members of the State classified civil service.
- To pay the fees of a training consortium provider for the delivery of training.

The following out-of-State expenses could be paid:

- Tuition costs, if the eligible entity submitted an out-of-State special use request to MCOLES and the Commission approved the expenditure before attendance.
- Registration costs, if the eligible entity submitted a special use request and the Commission approved the expenditure before attendance, and the training were conducted for not less than six hours within any 24-hour period.
- Travel costs, if for the purpose of participating in a learning experience intended to introduce or enhance knowledge, skills, and judgment directly related to the performance of professional criminal justice tasks currently assigned or assignable.
- Travel costs, if required to obtain or maintain skills or certification in a field of specialization related to the execution of law enforcement duties provided to the general public or related to the execution of administrative duties to enhance the ability of officers to perform duties provided to the general public.

Funds could not be distributed for out-of-State training expenses unless the course was registered through MCOLES before the dates on which the training was conducted and one or both of the following applied:

- The course provided certification in a field of specialization that was not available in Michigan.
- The course provided instruction that was not available in Michigan.

An eligible entity could not spend funds from a distribution for any of the following:

- Training individuals who were not law enforcement officers.
- Travel expenditures in excess of or in violation of the expenditure rates authorized for members of the State classified civil service.
- Alcoholic liquor.

For eligible entities that were eligible to receive law enforcement distributions on October 12, 1982 (the effective date of Public Act 302), a law enforcement distribution made under the bill would have to serve as a supplement to, and not a replacement for, the training funds budgeted on that date for criminal justice in-service training of the law enforcement officers it employed.

For eligible entities that did not elect to receive or were not eligible to receive law enforcement distributions on October 12, 1982, a distribution made under the bill would serve as a supplement to, and not a replacement for, the training funds budgeted for the year immediately preceding the first year for which the eligible entity received law enforcement distributions for criminal justice in-service training of the law enforcement officers it employed.

An eligible entity receiving a law enforcement distribution would have to spend the entire distribution within two years after the end of the calendar year in which it was received. If the eligible entity failed to spend the entire distribution within that period, it would be ineligible to receive further distributions until the entire distribution was spent for criminal justice in-service training and reported as prescribed by MCOLES.

If an eligible entity were no longer operating, the unit of government with which it was affiliated would have to return the unspent distribution funds immediately in a manner prescribed by MCOLES.

If MCOLES determined that an eligible entity had spent law enforcement distribution funds in violation of the Act, the Commission could do either of the following:

- Declare the eligible entity ineligible to receive further distributions for a period determined by MCOLES and require it to immediately return the funds spent in violation of the Act in a manner prescribed by MCOLES.
- Require the eligible entity to immediately return all unspent distribution funds, in addition to the funds spent in violation of the Act.

Beginning with the annual registration following the bill's effective date, funds received in a law enforcement distribution that had not been spent within five years after the year in which they were received would have to be returned immediately in a manner prescribed by the Commission.

Returned funds would have to be segregated and could be used only for law enforcement distributions.

The bill would define "criminal justice in-service training" as a criminal justice program that includes education or training that is designed and intended to enhance the direct delivery of criminal justice services by participants who are authorized to receive education or training as provided in the Act.

Maintenance of Records

An eligible entity receiving law enforcement distribution funds would have to maintain records of distribution revenue and expenditures separate from other funding sources.

An eligible entity would have to report to MCOLES on the expenditure of distribution funds in a manner and at intervals prescribed by the Commission. Each criminal justice in-service training program financed in whole or in part by distribution funds would have to be separately identified.

If an eligible entity were no longer operating, the unit of government with which it was affiliated would have to immediately give MCOLES a final accounting of expenditures of distribution funds for all years since the eligible entity last reported.

Grants

The bill would allow MCOLES to award grants using written grant agreements to which it and the grantee were parties. Grantees would have to submit applications for grant awards in the manner that MCOLES prescribed. The Commission would have to publish grant application procedures.

The Commission could not award grants to a professional association. The bill would define "professional association" as a national, State, or local police union, or an association or fraternal organization of police officers, correctional officers, or prosecuting attorneys.

The bill would define "grantee" as an entity eligible to receive grant awards from the Michigan Justice Training Fund, including any of the following or a combination of any of the following:

- An agency, department, division, bureau, board, commission, council, or authority of the State or of a city, village, township, or county.
- A State-supported college or university.
- A community college.
- An agency or entity of the Michigan judicial branch of government.

Spending of Grant Funds

A grantee could spend funds from a grant award only as follows:

- To provide criminal justice in-service training that was designed and intended to enhance the direct delivery of criminal justice services by the grantee's employees or employees of other grantees.
- To provide criminal justice in-service training presented by a grantee or by a contractual service provider retained by a grantee.
- To pay the actual cost of criminal justice in-service training materials necessary to, and used during, the direct delivery of criminal justice in-service training.
- To pay the reasonable rental cost or purchase price of equipment necessary to, and used solely during, the direct delivery of criminal justice in-service training.
- To pay the reasonable hourly salaries of instructors and developers for actual time spent developing, preparing, and delivering criminal justice in-service training.

A grantee could not spend funds from a grant award for any of the following:

- Travel expenditures in excess of the rates authorized for members of the State classified civil service.
- Travel costs incurred to participate in a criminal justice in-service training program, unless the program was solely for training for which the expenditure of grant funds was authorized under the Act.
- Alcoholic liquor.
- Expenditures related to criminal justice in-service training courses for which grant funding had not been approved.
- Expenditures for goods and activities not related to criminal justice in-service training.

If MCOLES determined that a grantee had spent grant award funds in violation of the Act, the Commission could do either of the following:

- Declare the grantee ineligible to receive further grant awards for a period MCOLES determined.
- Terminate one or more grant awards, and require the grantee to immediately return grant award funds spent in violation of the Act in a manner MCOLES determined.

Returned funds would have to be segregated and could be used only for the reasonable expenses of providing staff services to the Commission for administering and enforcing the requirements of Public Act 302 and the MCOLES Act, or for grant awards.

If a grantee were no longer operating, the unit of government with which it was affiliated, or any other constituent or successor entity of the grantee, immediately would have to give MCOLES a final accounting of all expenses incurred for criminal justice in-service training that was delivered, and the Commission would have to terminate all current grant awards.

Maintenance of Records

A grantee receiving a grant award under the Act would have to maintain records of grant revenue and expenditures separate from other funding sources.

A grantee also would have to report to MCOLES all expenditures of funds received from the Michigan Justice Training Fund, in a manner and at intervals prescribed by the Commission. Each training program financed in whole or in part by a grant award would have to be identified separately in the report.

Training Courses

Criminal justice in-service training courses would have to be registered through the MCOLES Information and Tracking Network. Law enforcement distribution funds and grant award funds could not be spent for the costs of courses that were not registered through MCOLES.

Eligible entities and grantees would have to report to MCOLES the training participants who attended each training session for which funding was provided in whole or in part under the Act, in a manner and at intervals the Commission prescribed.

Biennial Audit

The Act requires the books, records, and accounts of the Michigan Justice Training Commission to be audited by the Auditor General every two years. The bill specifies instead that the books, records, and accounts pertaining to the Michigan Justice Training Fund could be subject to audit by the Auditor General every two years.

MCL 28.601 et al. (S.B. 92)
18.421 et al. (S.B. 93)
600.181 (S.B. 95)
763.11 (S.B. 96)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker