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BILL



ANALYSIS

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House Bill 5024 (Substitute H-2 as reported without amendment)

Sponsor: Representative Peter J. Lucido

House Committee: Judiciary

Senate Committee: Judiciary

CONTENT

The bill would create the "Impaired Driving Safety Commission Act" to establish the Commission and do the following:

- Specify the Commission's responsibilities, including funding a university research program to determine the appropriate threshold of THC bodily content to provide evidence of per se impaired driving.
- Require the Commission to file a final report with the Governor and legislative leaders within two years after the bill's effective date.
- Require the Governor to appoint members of the Commission who met certain criteria and to appoint a chairperson of the Commission.
- Create the "Impaired Driving Safety Commission Fund", contingent upon the appropriation of money to the Fund.
- Repeal the proposed Act upon the filing of the Commission's final report or two years after the bill's effective date, whichever occurred first.

The Impaired Driving Safety Commission would be created within the Michigan Department of State Police (MSP). The Commission would have to research and recommend a scientifically supported threshold of THC bodily content to provide evidence for per se impaired driving in Michigan. The Commission would exist until it submitted a final report to the Governor and legislative leaders.

The Commission could apply for and obtain grants from any source to carry out the purpose of the proposed Act. All funds received by the Commission would be State funds and would have to be appropriated as provided by law.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the MSP. As described above, the bill would create the Impaired Driving Safety Commission, and the Impaired Driving Safety Commission Fund. Although it would require the MSP to provide for reimbursement for "actual and necessary expenses" and administrative costs connected with the official duties of the six Commission members, the bill would not appropriate any money for deposit into the proposed Fund. Whether funding, if any, would be obtained from outside sources or from within the State appropriations for the MSP for deposit into the Fund, cannot be determined at this time.

The bill would have no fiscal impact on local government.

Date Completed: 11-30-16

Fiscal Analyst: Bruce Baker

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Bill Analysis @ www.senate.michigan.gov/sfa

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