

SENATE BILL No. 96

February 10, 2015, Introduced by Senators O'BRIEN, NOFS and SCHUITMAKER and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 11 of chapter III (MCL 763.11), as added by
2012 PA 479.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER III

Sec. 11. (1) The **MICHIGAN** commission on law enforcement
standards created under section 3 of the **MICHIGAN** commission on law
enforcement standards act, 1965 PA 203, MCL 28.603, shall set
quality standards for the audiovisual recording of statements under
section 8 of this chapter and standards for geographic
accessibility of equipment in the state. The commission shall also
conduct an assessment of the initial cost necessary for law
enforcement agencies to purchase audiovisual recording equipment.

1 The first assessment shall be conducted ~~within 120 days after the~~
2 ~~effective date of the amendatory act that added this section.~~ **BY**
3 **JULY 26, 2012.** The **MICHIGAN** commission on law enforcement standards
4 shall conduct subsequent assessments regarding the necessary costs
5 of purchasing, upgrading, or replacing the equipment every 2 years.

6 (2) The **MICHIGAN** commission on law enforcement standards shall
7 recommend to the legislature each year an annual appropriation
8 amount to be determined by the commission's assessment performed
9 under this section. The legislature shall annually appropriate
10 funds to the **MICHIGAN** commission on law enforcement standards for
11 distribution to law enforcement agencies throughout the state to
12 allow the agencies to purchase audiovisual recording equipment for
13 purposes of this chapter. Any funds appropriated for this purpose
14 shall be in addition to the appropriations provided to the **MICHIGAN**
15 commission on law enforcement standards and the department of state
16 police in the immediately preceding fiscal year and shall not be
17 appropriated from the Michigan justice training fund created in
18 ~~section 5 of 1982 PA 302, MCL 18.425,~~ **18.421 TO 18.430**, or the
19 department of state police budget.

20 (3) Except as otherwise provided in subsection (4), law
21 enforcement agencies shall implement sections 7 to 10 of this
22 chapter and this section within 120 days after receiving funds
23 under this section from the **MICHIGAN** commission on law enforcement
24 standards or acquiring access to audiovisual recording equipment as
25 directed by the standards set forth by that commission.

26 (4) Notwithstanding subsection (3), a law enforcement agency
27 shall comply with the provisions of the amendatory act that added

1 this subsection within 60 days after the date the commission adopts
2 the standards for audiovisual recording equipment required by this
3 section if the law enforcement agency has audiovisual recording
4 equipment that complies with those standards on that date, or
5 within 60 days after the date the law enforcement agency
6 subsequently obtains audiovisual recording equipment that complies
7 with the adopted standards.

8 Enacting section 1. This amendatory act does not take effect
9 unless Senate Bill No. 92

10 of the 98th Legislature is enacted into law.