

# HOUSE BILL NO. 5569

November 30, 2021, Introduced by Rep. Brann and referred to the Committee on Government Operations.

A bill to amend 1846 RS 14, entitled  
"Of county officers,"  
by amending section 77 (MCL 51.77), as amended by 1982 PA 313.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 77. (1) Before a county ~~may obtain~~**obtains** its grant from  
2 the amount annually appropriated for secondary road patrol and  
3 traffic accident prevention to implement section 76, the county  
4 shall enter into an agreement for the secondary road patrol and  
5 traffic accident prevention services with the office of ~~criminal~~  
6 ~~justice.~~**highway safety planning**. A county applying for a grant for

1 secondary road patrol and traffic accident prevention shall provide  
 2 information ~~relative to~~**about** the services to be provided under  
 3 section 76 by the sheriff's department of the county. ~~, which~~**The**  
 4 information ~~shall~~**required under this subsection must** be submitted  
 5 on forms provided by the office of ~~criminal justice~~**highway safety**  
 6 **planning**. By April 1 of each year following a year for which the  
 7 county received an allocation, a county ~~which~~**that** receives a grant  
 8 for secondary road patrol and traffic accident prevention shall  
 9 submit a report to the office of ~~criminal justice~~**highway safety**  
 10 **planning** on a form provided by the office of ~~criminal justice~~.  
 11 **highway safety planning**. The report ~~shall~~**must** contain the  
 12 information described in subsection (6). An agreement entered ~~into~~  
 13 ~~under~~**pursuant to** this section ~~shall be~~**is** void if the county  
 14 reduces its expenditures or level of road patrol below that which  
 15 the county was expending or providing immediately before October 1,  
 16 1978, **or October 1, 2021, whichever year the expenditures or level**  
 17 **of road patrol is less**, unless the county is required to reduce  
 18 general services because of economic conditions and is not merely  
 19 reducing law enforcement services.

20 (2) A grant received by a county for secondary road patrol and  
 21 traffic accident prevention ~~shall~~**must** be expended only for the  
 22 purposes described in section 76 ~~pursuant to~~**in accordance with** the  
 23 recommendations of the sheriff of that county ~~, and which~~**that** are  
 24 approved by the county board of commissioners. The recommendations  
 25 ~~shall be relative to~~**must include** the following matters:

26 (a) Employing additional personnel to provide the services  
 27 described in section 76(2) and (3).

28 (b) Purchasing additional equipment for providing the services  
 29 described in section 76(2) and (3) and operating and maintaining

1 that equipment.

2 (c) Enforcing laws in state parks and county parks within the  
3 county.

4 (d) Providing selective motor vehicle inspection programs.

5 (e) Providing traffic safety information and education  
6 programs in addition to those programs provided before September  
7 28, 1978.

8 (3) The sheriff's department of a county is required to  
9 provide the expanded services described in section 76 only to the  
10 extent that state funds are provided.

11 (4) For the fiscal years beginning October 1, 1980, and  
12 October 1, 1981, a county's share of the amount annually  
13 appropriated for secondary road patrol and traffic accident  
14 prevention ~~shall~~**must** be the same percentage that the county  
15 received, or was eligible to receive, of the total amount allocated  
16 to all counties ~~pursuant to~~**under** section 12 of ~~Act No. 51 of the~~  
17 ~~Public Acts of 1951, as amended, being section 247.662 of the~~  
18 ~~Michigan Compiled Laws, 1951 PA 51, MCL 247.662~~, less the amounts  
19 distributed for snow removal and engineers, during the period of  
20 July 1, 1976, through June 30, 1977. County primary roads and  
21 county local roads within the boundaries of a city or village ~~shall~~  
22 **must** not be used in determining the percentage under this section  
23 unless the sheriff's department of the county is providing the  
24 services described in section 76(2) and (3) within the city or  
25 village pursuant to an agreement between the county and the city or  
26 village adopted after October 1, 1978. The agreement ~~shall~~**must** not  
27 be reimbursable under the formula described in this subsection  
28 unless the city or village is required to reduce general services  
29 because of economic conditions and is not merely reducing law

1 enforcement services.

2 (5) From the amount annually appropriated for secondary road  
3 patrol and traffic accident prevention, the office of ~~eriminal~~  
4 ~~justice~~**highway safety planning** may be allocated up to 1% for  
5 administrative, planning, and reporting purposes.

6 (6) The annual report required under subsection (1) ~~shall~~**must**  
7 include the following:

8 (a) A description of the services provided by the sheriff's  
9 department of the county under section 76, other than the services  
10 provided in a county park.

11 (b) A description of the services provided by the sheriff's  
12 department of the county under section 76 in county parks in the  
13 county.

14 (c) A copy of each resolution by a city or village of the  
15 county which requests the sheriff's department of the county to  
16 provide the services described in section 76.

17 (d) A copy of each contract between a county and a township of  
18 the county in which township the sheriff's department is providing  
19 a law enforcement service.

20 (e) The recommendations of the sheriff's department of the  
21 county on methods of improving the services provided under section  
22 76; improving the training programs of law enforcement officers;  
23 and improving the communications system of the sheriff's  
24 department.

25 (f) The total number of sworn officers in the sheriff's  
26 department.

27 (g) The number of sworn officers in the sheriff's department  
28 assigned to road safety programs.

29 (h) The accident and fatality data for incorporated and

1 unincorporated areas of the county during the preceding calendar  
2 year.

3 (i) The crime statistics for the incorporated and  
4 unincorporated areas of the county during the preceding calendar  
5 year.

6 (j) The law enforcement plan developed under subsection (7).

7 (k) A description of the role alcohol played in the incidences  
8 of personal injury traffic accidents and traffic fatalities in the  
9 county.

10 (l) Other information required by the department of **technology,**  
11 management, and budget.

12 (7) The sheriff of each county ~~, and~~ the director of the  
13 department of state police, ~~and the director of the office of~~  
14 ~~criminal justice~~ or their authorized representatives shall meet and  
15 develop a law enforcement plan for the unincorporated areas of the  
16 county. The law enforcement plan ~~shall~~ **must** be reviewed and updated  
17 periodically.

18 (8) Before May 1 of each year, the office of ~~criminal justice~~  
19 **highway safety planning** shall submit a report to the legislature.  
20 The report ~~shall~~ **must** contain the following:

21 (a) A copy of each initial report filed before April 1 of that  
22 year and a copy of each annual report filed before April 1 of that  
23 year under subsection (6).

24 (b) The recommendations of the office of ~~criminal justice~~  
25 **highway safety planning** on methods of improving the coordination of  
26 the law enforcement agencies of this state and the counties,  
27 cities, villages, and townships of this state; improving the  
28 training programs for law enforcement officers; and improving the  
29 communications systems of those agencies.

1 (c) A description of the role alcohol played in the incidences  
2 of personal injury traffic accidents and traffic fatalities in this  
3 state.

4 (9) From the 1% allocated to the office of ~~eriminal justice~~  
5 **highway safety planning** for administration, planning, and  
6 reporting, the office of ~~eriminal justice~~**highway safety planning**  
7 shall conduct an impact and cost effectiveness study ~~which that~~  
8 will review state, county, and local road patrol and traffic  
9 accident prevention efforts. This study ~~shall must~~ be conducted in  
10 cooperation with the Michigan ~~sheriffs' association,~~**Sheriffs'**  
11 **Association and** the Michigan ~~association~~**Association** of chiefs  
12 **Chiefs** of ~~police,~~**Police**, and the department of state police.  
13 Annual reports on results of the study ~~shall must~~ be submitted to  
14 the senate and house appropriations committees by April 1 of each  
15 year.