

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

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

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

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

(b) Purchasing additional equipment for providing the services 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 ~~criminal~~
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

unincorporated areas of the county during the preceding calendar year.

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

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

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

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

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

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

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

(b) The recommendations of the office of ~~criminal justice~~ **highway safety planning** on methods of improving the coordination of the law enforcement agencies of this state and the counties, cities, villages, and townships of this state; improving the training programs for law enforcement officers; and improving the 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 ~~criminal justice~~
5 **highway safety planning** for administration, planning, and
6 reporting, the office of ~~criminal 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.