

HOUSE BILL NO. 5134

June 24, 2021, Introduced by Rep. Martin and referred to the Committee on Government Operations.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 629e (MCL 257.629e), as amended by 2003 PA 73.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 629e. (1) Before October 1, 2003, in addition to any fine
2 or cost ordered to be paid under this act, and in addition to any
3 assessment levied under section 907, the judge or district court
4 magistrate shall levy a highway safety assessment of \$5.00, a jail
5 reimbursement program assessment of \$5.00, and a secondary road

patrol and training assessment of \$10.00 for each civil infraction determination except for a parking violation or a violation for which the total fine and costs imposed are \$10.00 or less. Upon payment of the assessments, the clerk of the court shall transmit the assessments levied to the department of treasury. Until October 1, 2003, the state treasurer shall deposit the revenue received ~~pursuant to~~ **under** this subsection in the highway safety fund, in the jail reimbursement program fund, and in the secondary road patrol and training fund, and shall report annually to the legislature all revenues received and disbursed under this section. An assessment levied under this subsection ~~shall is~~ not be considered a civil fine for purposes of section 909.

(2) A highway safety fund, a jail reimbursement program fund, and a secondary road patrol and training fund are created in the department of treasury. The highway safety fund and the secondary road patrol and training fund ~~shall must~~ be administered by the department of state police. The jail reimbursement program fund ~~shall must~~ be administered by the department of corrections. Until October 1, 2003, money collected under subsection (1) ~~shall must~~ be deposited in the respective funds as provided in subsection (1). Beginning October 1, 2003, money collected under subsection (1) ~~shall must~~ be deposited in the justice system fund created in section 181 of the revised judicature act of 1961, 1961 PA 236, MCL 600.181. Money remaining in the respective funds at the end of a fiscal year ~~shall does~~ not lapse **to the general fund**, but ~~shall remain remains~~ in the respective funds for use for the purposes of the **respective** funds. The money deposited in the highway safety fund ~~shall serve serves~~ as a supplement to, and not as a replacement for, ~~the funds money~~ budgeted for the department of

1 state police. The money in the highway safety fund ~~shall~~**must** be
2 used by the department of state police for the employment of
3 additional state police enlisted personnel to enforce the traffic
4 laws on the highways and freeways of this state. The money in the
5 jail reimbursement program fund ~~shall~~**must** be used by the
6 department of corrections to reimburse counties for housing and
7 custody of convicted felons ~~pursuant to~~**under** the requirements of
8 section 35 of chapter IX of the code of criminal procedure, 1927 PA
9 175, MCL 769.35. The money in the secondary road patrol and
10 training fund ~~shall~~**must** be used for secondary road patrol and
11 traffic accident **prevention** grants ~~pursuant to~~**under** section 77 of
12 1846 RS 14, MCL 51.77, and for grants under section 14 of the
13 **Michigan** commission on law enforcement standards act, 1965 PA 203,
14 MCL 28.614. The department of state police and the department of
15 corrections shall report annually to the legislature all revenues
16 received and disbursed under this section.

17 (3) **Each year the legislature shall appropriate to the**
18 **secondary road patrol and training fund an amount sufficient to**
19 **ensure that the amount deposited into the secondary road patrol and**
20 **training fund is not less than the amount deposited in the fiscal**
21 **year ending September 30, 2021.**