

MICHIGAN JUSTICE TRAINING COMMISSION (EXCERPT)
Act 302 of 1982

18.424 Law enforcement distribution funds; deposit; separate account; expenditure; purposes; conditions; limitation; distribution as supplement; time period; entity no longer in operation; distribution in violation of act; return of unexpended funds within 5 years of receipt.

Sec. 4. (1) Funds received from a law enforcement distribution shall be deposited and maintained in an account separate from all other funds.

(2) An eligible entity shall expend funds from a law enforcement distribution only for the following purposes:

(a) Criminal justice in-service training that is designed and intended to enhance the direct delivery of criminal justice services by law enforcement officers.

(b) Direct costs, including all of the following:

(i) The actual cost of training materials necessary to, and used solely during, the direct delivery of criminal justice in-service training.

(ii) The reasonable rental cost or purchase price of equipment necessary to and used solely during the direct delivery of criminal justice in-service training. An eligible entity shall not make an equipment purchase that exceeds \$5,000.00 or 10% of its annual law enforcement distribution without prior written approval of the commission.

(iii) The rental of training facilities, only if adequate facilities owned or operated by the eligible entity are not available.

(iv) A flat rate, tuition, or subscription paid to a training provider, other than the eligible entity, for the delivery of criminal justice in-service training as provided under this act, only if the training is registered through the MCOLES information and tracking network before the dates on which the training is conducted.

(c) The costs incurred to participate in a criminal justice in-service training program, subject to the following restrictions:

(i) For tuition costs for in-state criminal justice in-service training, only if the training course is registered through the MCOLES information and tracking network before the dates on which the training is conducted.

(ii) For in-state criminal justice in-service training participant travel reimbursement, only if the criminal justice in-service training course is registered through the MCOLES information and tracking network before the dates on which the training is conducted. For purposes of this restriction, applicable reimbursement rates are those authorized for members of the state classified civil service.

(iii) For in-state instructor travel reimbursement. For purposes of this provision, applicable reimbursement rates are those authorized for members of the state classified civil service.

(iv) To pay the fees of a training consortium provider for the delivery of criminal justice in-service training to law enforcement officers of the eligible entity. For consortium fees paid as provided in this subparagraph, the eligible entity shall report the actual cost of each course attended. If a consortium fee is paid but the employees of the eligible entity were unable to attend the training, the eligible entity shall report this fact to the commission. The consortium training provider shall provide to the eligible entity an accounting of the training courses delivered to the eligible entity's law enforcement officers.

(d) To pay the following out-of-state criminal justice in-service training expenses, subject to the restrictions set forth in subsection (3):

(i) Tuition costs for out-of-state criminal justice in-service training, if the eligible entity submits an out-of-state special use request to the commission and the commission approves the expenditure prior to attendance.

(ii) Registration costs for out-of-state training conferences, if the eligible entity submits an out-of-state special use request to the commission, the commission approves the expenditure prior to attendance, and the training is conducted for not less than 6 hours within any 24-hour period.

(iii) Travel costs, if for the purpose of participating in a learning experience produced through reading, listening, observing, problem-solving, or interacting with others, the object of which is the introduction or enhancement of knowledge, skills, and judgment directly related to the performance of professional criminal justice tasks currently assigned or assignable.

(iv) Travel costs, if required to obtain or maintain skills or certification in a field of specialization related to the execution of the duties of law enforcement officers provided to the general public or related to the execution of administrative duties that enhance the ability of law enforcement officers to perform duties provided to the general public.

(3) Funds shall not be distributed under subsection (2)(d) unless both of the following apply:

(a) The course is registered through the MCOLES information and tracking network prior to the dates on which the training is conducted.

(b) One or both of the following:

(i) The course provides certification in a field of specialization that is not available in this state.

(ii) The course provides instruction that is not available in this state.

(4) An eligible entity shall not expend funds from a law enforcement distribution for any of the following:

(a) Training individuals who are not law enforcement officers.

(b) Travel expenditures in excess of or in violation of the expenditure rates authorized for members of the state classified civil service.

(c) Alcoholic liquor.

(5) For eligible entities that were eligible to receive law enforcement distributions on October 12, 1982, law enforcement distributions made under this section shall serve as a supplement to, and not as a replacement for, the training funds budgeted October 12, 1982, for criminal justice in-service training of the law enforcement officers it employs.

(6) For eligible entities that did not elect to receive or were not eligible to receive law enforcement distributions on October 12, 1982, law enforcement distributions made under this section shall serve as a supplement to, and not as a replacement for, the training funds budgeted for the year immediately preceding the first year for which the eligible entity received law enforcement distributions, for criminal justice in-service training of the law enforcement officers it employs.

(7) An eligible entity receiving a law enforcement distribution shall expend the entire distribution within 2 years after the end of the calendar year in which it was received. If the eligible entity fails to expend the entire distribution within that period, it is not eligible to receive further law enforcement distributions until the entire distribution is expended for criminal justice in-service training, and reported as prescribed by the commission.

(8) If an eligible entity is no longer operating, the unit of government with which it is affiliated shall immediately return unexpended law enforcement distribution funds in a manner prescribed by the commission. Funds returned as provided in this subsection shall be segregated and shall be used only for law enforcement distributions.

(9) If the commission determines that an eligible entity has expended law enforcement distribution funds in violation of this act, the commission may do either of the following:

(a) Declare the eligible entity ineligible to receive further law enforcement distributions for a period determined by the commission and require it to immediately return the funds expended in violation of this act in a manner prescribed by the commission. Funds returned as provided in this subdivision shall be segregated and shall be used only for law enforcement distributions.

(b) Require the eligible entity to immediately return all unexpended law enforcement distribution funds, in addition to the funds expended in violation of this act. Funds returned as provided in this subdivision shall be segregated and shall be used only for law enforcement distributions.

(10) Beginning with the annual registration that follows the effective date of the amendatory act that added this subsection, funds received in a law enforcement distribution that have not been expended within 5 years after the year in which they were received shall immediately be returned in a manner prescribed by the commission. Funds returned as provided in this subsection shall be segregated and shall be used only for law enforcement distributions.

History: 1982, Act 302, Imd. Eff. Oct. 12, 1982;—Am. 1989, Act 158, Imd. Eff. July 28, 1989;—Am. 2016, Act 290, Eff. Jan. 2, 2017.

Compiler's note: For transfer of statutory authority, powers, duties, functions, and responsibilities of the Michigan justice training commission, the Michigan justice training fund, the commission on law enforcement standards, and the law enforcement officers training fund to the new Michigan commission on law enforcement standards by type III transfer, see E.R.O. No. 2001-2, compiled at MCL 28.621 of the Michigan compiled laws.