

# HOUSE BILL No. 5900

June 21, 1990, Introduced by Reps. Profit, Martin, Harrison,  
Gubow, Murphy and Barns and referred to the Committee on Judiciary.

A bill to amend section 77 of chapter 14 of the Revised  
Statutes of 1846, entitled

"Of county officers,"

as amended by Act No. 313 of the Public Acts of 1982, being sec-  
tion 51.77 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 77 of chapter 14 of the Revised Statutes  
2 of 1846, as amended by Act No. 313 of the Public Acts of 1982,  
3 being section 51.77 of the Michigan Compiled Laws, is amended to  
4 read as follows:

5 Sec. 77. (1) Before a county may obtain its grant from the  
6 amount annually appropriated for secondary road patrol and traf-  
7 fic accident prevention to implement section 76, the county shall  
8 enter into an agreement for the secondary road patrol and traffic  
9 accident prevention services with the office of criminal

1 justice. A county applying for a grant for secondary road patrol  
2 and traffic accident prevention shall provide information rela-  
3 tive to the services to be provided under section 76 by the  
4 sheriff's department of the county, which information shall be  
5 submitted on forms provided by the office of criminal justice.  
6 IF A SHERIFF'S DEPARTMENT FAILS TO ADOPT A MODEL POLICY PURSUANT  
7 TO THE HIGH SPEED PURSUIT MODEL POLICY ACT, THE COUNTY IN WHICH  
8 THE SHERIFF'S DEPARTMENT IS ESTABLISHED IS INELIGIBLE TO OBTAIN A  
9 GRANT FOR SECONDARY ROAD PATROL AND TRAFFIC ACCIDENT PREVENTION  
10 UNTIL THE SHERIFF'S DEPARTMENT ADOPTS THE MODEL POLICY. By April  
11 1 of each year following a year for which the county received an  
12 allocation, a county ~~which~~ THAT receives a grant for secondary  
13 road patrol and traffic accident prevention shall submit a report  
14 to the office of criminal justice on a form provided by the  
15 office of criminal justice. The report shall contain the infor-  
16 mation described in subsection ~~-(6)-~~ (5). An agreement entered  
17 into under this section shall be void if the county reduces its  
18 expenditures or level of road patrol below that which the county  
19 was expending or providing immediately before October 1, 1978,  
20 unless the county is required to reduce general services because  
21 of economic conditions and is not merely reducing law enforcement  
22 services.

23 (2) A grant received by a county for secondary road patrol  
24 and traffic accident prevention shall be expended only for the  
25 purposes described in section 76 pursuant to the recommendations  
26 of the sheriff of that county, and ~~which~~ THAT are approved by

1 the county board of commissioners. The recommendations shall ~~be~~  
2 ~~relative~~ RELATE to the following matters:

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

5 (b) Purchasing additional equipment for providing the serv-  
6 ices described in section 76(2) and (3) and operating and main-  
7 taining that equipment.

8 (c) Enforcing laws in state parks and county parks within  
9 the county.

10 (d) Providing selective motor vehicle inspection programs.

11 (e) Providing traffic safety information and education pro-  
12 grams in addition to those programs provided before September 28,  
13 1978.

14 (3) The sheriff's department of a county is required to pro-  
15 vide the expanded services described in section 76 only to the  
16 extent that state funds are provided.

17 ~~(4) For the fiscal years beginning October 1, 1980, and~~  
18 ~~October 1, 1981, a county's share of the amount annually appro-~~  
19 ~~riated for secondary road patrol and traffic accident prevention~~  
20 ~~shall be the same percentage that the county received, or was~~  
21 ~~eligible to receive, of the total amount allocated to all coun-~~  
22 ~~ties pursuant to section 12 of Act No. 51 of the Public Acts of~~  
23 ~~1951, as amended, being section 247.662 of the Michigan Compiled~~  
24 ~~Laws, less the amounts distributed for snow removal and engi-~~  
25 ~~neers, during the period of July 1, 1976, through June 30, 1977.~~  
26 ~~County primary roads and county local roads within the boundaries~~  
27 ~~of a city or village shall not be used in determining the~~

~~1 percentage under this section unless the sheriff's department of~~  
~~2 the county is providing the services described in section 76(2)~~  
~~3 and (3) within the city or village pursuant to an agreement~~  
~~4 between the county and the city or village adopted after October~~  
~~5 1, 1978. The agreement shall not be reimbursable under the for-~~  
~~6 mula described in this subsection unless the city or village is~~  
~~7 required to reduce general services because of economic condi-~~  
~~8 tions and is not merely reducing law enforcement services.~~

9       (4) ~~(5)~~ From the amount annually appropriated for second-  
10 ary road patrol and traffic accident prevention, the office of  
11 criminal justice may be allocated up to 1% for administrative,  
12 planning, and reporting purposes.

13       (5) ~~(6)~~ The annual report required under subsection (1)  
14 shall include the following:

15       (a) A description of the services provided by the sheriff's  
16 department of the county under section 76, other than the serv-  
17 ices provided in a county park.

18       (b) A description of the services provided by the sheriff's  
19 department of the county under section 76 in county parks in the  
20 county.

21       (c) A copy of each resolution by a city or village of the  
22 county ~~which~~ THAT requests the sheriff's department of the  
23 county to provide the services described in section 76.

24       (d) A copy of each contract between a county and a township  
25 of the county in which township the sheriff's department is pro-  
26 viding a law enforcement service.

1 (e) The recommendations of the sheriff's department of the  
2 county on methods of improving the services provided under  
3 section 76; improving the training programs of law enforcement  
4 officers; and improving the communications system of the  
5 sheriff's department.

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

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

10 (h) The accident and fatality data for incorporated and  
11 unincorporated areas of the county during the preceding calendar  
12 year.

13 (i) The crime statistics for the incorporated and unincor-  
14 porated areas of the county during the preceding calendar year.

15 (j) The law enforcement plan developed under subsection  
16 ~~-(7)-~~ (6).

17 (k) A description of the role alcohol played in the inci-  
18 dences of personal injury traffic accidents and traffic fatali-  
19 ties in the county.

20 (l) Other information required by the department of manage-  
21 ment and budget.

22 (6) ~~-(7)-~~ The sheriff of each county, the director of the  
23 department of state police, and the director of the office of  
24 criminal justice or their authorized representatives shall meet  
25 and develop a law enforcement plan for the unincorporated areas  
26 of the county. The law enforcement plan shall be reviewed and  
27 updated periodically.

1       (7) ~~-(8)-~~ Before May 1 of each year, the office of criminal  
2 justice shall submit a report to the legislature. The report  
3 shall contain the following:

4       (a) A copy of each initial report filed before April 1 of  
5 that year and a copy of each annual report filed before April 1  
6 of that year under subsection ~~-(6)-~~ (5).

7       (b) The recommendations of the office of criminal justice on  
8 methods of improving the coordination of the law enforcement  
9 agencies of this state and the counties, cities, villages, and  
10 townships of this state; improving the training programs for law  
11 enforcement officers; and improving the communications systems of  
12 those agencies.

13       (c) A description of the role alcohol played in the inci-  
14 dences of personal injury traffic accidents and traffic fatali-  
15 ties in this state.

16       (8) ~~-(9)-~~ From the 1% allocated to the office of criminal  
17 justice for administration, planning, and reporting, the office  
18 of criminal justice shall conduct an impact and cost effective-  
19 ness study ~~-which-~~ THAT will review state, county, and local road  
20 patrol and traffic accident prevention efforts. This study shall  
21 be conducted in cooperation with the Michigan sheriffs' associa-  
22 tion, the Michigan association of chiefs of police, and the  
23 department of state police. Annual reports on results of the  
24 study shall be submitted to the senate and house appropriations  
25 committees by April 1 of each year.

1       Section 2. This amendatory act shall not take effect unless  
2 Senate Bill No. \_\_\_\_\_ or House Bill No. 5896 (request  
3 no. 05732'90 \*) of the 85th Legislature is enacted into law.