

HOUSE BILL No. 4285

February 20, 2001, Introduced by Reps. Garza, Kolb, Daniels, Hale, Bernero, Spade, Thomas, Clark, Clarke, Rison, Wojno, Minore and Lemmons and referred to the Committee on Criminal Justice.

A bill to create a state anti-gang assistance program; to prescribe certain powers and duties of certain state departments and officials; to create a fund in the department of treasury; and to provide for an appropriation.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "anti-gang assistance act".

3 Sec. 2. As used in this act:

4 (a) "Anti-gang assistance fund" means the fund created in
5 section 6 and the money appropriated and available to carry out
6 this act.

7 (b) "Department" means the department of treasury.

8 (c) "Fiscal year" means the state fiscal year.

1 (d) "Grant funds" means the money awarded to a local
2 community by the state treasurer under this act.

3 (e) "Local community" means a county, city, township, or
4 village.

5 (f) "Maintenance police force" means the average number of
6 police officers on the payroll in a local community from January
7 1, 1995 through December 31, 1996.

8 (g) "Police officer" or "sheriff's patrol officer" means a
9 police officer or sheriff's patrol officer, respectively, who is
10 certified under the commission on law enforcement standards act,
11 1965 PA 203, MCL 28.601 to 28.616.

12 (h) "Police officer salary" means wages and the cost of
13 other employment benefits.

14 (i) "Program" means the state anti-gang assistance program
15 created in section 3.

16 Sec. 3. The state anti-gang assistance program is created
17 within the department of treasury. The program shall provide a
18 local community with money to employ additional police officers
19 to work with local schools and the local community to reduce gang
20 violence. Grant funds shall be used to provide 100% of the
21 matching money necessary for the local community to receive money
22 under the federal community oriented policing services program
23 pursuant to the violent crime control and law enforcement act of
24 1994, Public Law 103-322, 108 Stat. 1796.

25 Sec. 4. The state treasurer shall do all of the following:

26 (a) Administer this act and perform all acts and exercise
27 all powers reasonably necessary to implement this act.

1 (b) Review grant applications and determine which applicants
2 will receive grant funds and the amount of money to be distrib-
3 uted to each eligible applicant.

4 Sec. 5. (1) A local community may use grant funds to hire 1
5 or more police officers or sheriff's patrol officers. If the
6 local community chooses to use grant funds for sheriff's patrol
7 officers, it is the sheriff's responsibility to hire additional
8 sheriff's patrol officers.

9 (2) A local community shall use grant funds to employ addi-
10 tional police officers to work with local schools and the commu-
11 nity to reduce gang violence and to pay associated costs. A
12 local community shall not use grant funds to fund the local
13 community's maintenance police force or to hire a police officer
14 whose primary function is administrative.

15 Sec. 6. (1) The anti-gang assistance fund is created in the
16 state treasury.

17 (2) The state treasurer may receive money or other assets
18 from any source for deposit into the anti-gang assistance fund.
19 The state treasurer shall direct the investment of the anti-gang
20 assistance fund.

21 (3) The legislature shall appropriate money from the amount
22 of money available for the community policing program, first cre-
23 ated in section 959d of 1997 PA 111, for deposit into the
24 anti-gang assistance fund.

25 (4) Money in the anti-gang assistance fund at the close of
26 the fiscal year shall remain in the anti-gang assistance fund and
27 shall not lapse to the general fund.

1 (5) The state treasurer shall expend money from the
2 anti-gang assistance fund, upon appropriation, only as provided
3 in section 7.

4 Sec. 7. (1) The state treasurer shall distribute money from
5 the anti-gang assistance fund at the beginning of each fiscal
6 year based on the availability of money.

7 (2) The distribution of money to implement this act is
8 subject to the following limitations:

9 (a) The amount of money in each grant shall be equal to the
10 local community's matching amount required by the community ori-
11 ented policing services grants of the violent crime control and
12 law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796.

13 (b) The money shall be used for the cost of the annual sala-
14 ries of the additional police officers hired to work with the
15 local schools and the community to reduce gang violence.

16 Sec. 8. For each fiscal year that a local community
17 receives a grant under this act, that local community shall
18 submit a report to the department on the use of the grant. The
19 report shall be in the form required by the state treasurer and
20 shall include sufficient information to demonstrate that the
21 grants were expended in compliance with the intent and purpose of
22 this act. The treasurer shall compile the reports from the local
23 communities and submit a report to the senate and house subcom-
24 mittees on general government or their successors by March 1
25 after the end of each fiscal year.