

SENATE BILL NO. 1069

August 15, 2020, Introduced by Senator HOLLIER and referred to the Committee on Appropriations.

A bill to amend 1994 PA 295, entitled
"Sex offenders registration act,"
by amending section 5b (MCL 28.725b), as amended by 2011 PA 17.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5b. (1) Of the money collected by a court, local law
2 enforcement agency, sheriff's department, or department post from
3 each registration fee prescribed under this act, \$30.00 ~~shall~~**must**
4 be forwarded to the department, which shall deposit the money in
5 the sex offenders registration fund created under subsection (2),

1 and \$20.00 ~~shall~~**must** be retained by the court, local law
2 enforcement agency, sheriff's department, or department post.

3 (2) The sex offenders registration fund is created as a
4 separate fund in the department of treasury. The state treasurer
5 shall credit the money received from the payment of the
6 registration fee prescribed under this act to the sex offenders
7 registration fund. Money credited to the fund ~~shall~~**must** only be
8 used by the department for training concerning, and the maintenance
9 and automation of, the law enforcement database, public internet
10 website, information required under section 8, or notification and
11 offender registration duties under section 4a. ~~Money~~**Except as**
12 **otherwise provided in this section, money** in the sex offenders
13 registration fund at the close of the fiscal year ~~shall~~**must** remain
14 in the fund and ~~shall~~**must** not lapse to the general fund.

15 (3) If an individual required to pay a registration fee under
16 this act is indigent, the registration fee ~~shall be~~**is** waived for a
17 period of 90 days. The burden is on the individual claiming
18 indigence to prove the fact of indigence to the satisfaction of the
19 local law enforcement agency, sheriff's department, or department
20 post where the individual is reporting.

21 (4) Payment of the registration fee prescribed under this act
22 ~~shall~~**must** be made in the form and by means prescribed by the
23 department. Upon payment of the registration fee prescribed under
24 this act, the officer or employee shall forward verification of the
25 payment to the department in the manner the department prescribes.
26 The department shall revise the law enforcement database and public
27 internet website maintained under section 8 as necessary and ~~shall~~
28 indicate verification of payment in the law enforcement database
29 under section 8(1).

1 (5) For the fiscal year ending September 30, 2020 only,
2 \$3,400,000.00 of the money in the sex offenders registration fund
3 is transferred to and must be deposited into the general fund.