

SENATE SUBSTITUTE FOR

HOUSE BILL NO. 4517

(As amended June 25, 2003)

A bill to amend 1846 RS 171, entitled
"Of county jails and the regulation thereof,"
(MCL 801.1 to 801.27) by adding section 4b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4b. (1) Beginning <<August 1, 2003>>, each person who is
2 incarcerated in the county jail shall pay a fee of \$12.00 to the
3 county sheriff when the person is admitted into the jail.

4 (2) The county sheriff may collect a fee owed under this
5 section by withdrawing that amount from any inmate account
6 maintained by the sheriff for that inmate.

7 (3) Except as provided in subsections (4) and (5), the
8 sheriff, once each calendar quarter, shall forward all fees
9 collected under this section to the local corrections officers
10 training fund created in the local corrections officers training
11 act.

1 (4) The revenue derived from fees collected under this
2 section shall be directed in the manner provided in subsection
3 (5) in a county for which the sheriffs coordinating and training
4 council has certified that the county's standards and
5 requirements for the training of local corrections officers
6 equals or exceeds the standards and requirements approved by the
7 sheriffs coordinating and training council under the local
8 corrections officers training act.

9 (5) In a county that meets the criteria in subsection (4),
10 both of the following apply:

11 (a) Once each calendar quarter, the sheriff shall forward
12 \$2.00 of each fee collected to the state treasurer for deposit in
13 the local corrections officers training fund created in the local
14 corrections officers training act.

15 (b) The remaining \$10.00 of each fee shall be retained in
16 that county, to be used only for costs relating to the continuing
17 education, certification, recertification, and training of local
18 corrections officers and inmate programs including substance
19 abuse and mental health programs in that county. However,
20 revenue from the fees shall not be used to supplant current
21 spending by the county for continuing education, certification,
22 recertification, and training of local corrections officers.

23 (6) An inmate who fails to pay a fee owed under this section
24 before being discharged from the jail is responsible for a state
25 civil infraction and may be ordered to pay a civil fine of
26 \$100.00. An appearance ticket may be issued to a person who
27 fails to pay a fee owed under this section. The appearance

1 ticket may be issued by the sheriff or a deputy sheriff. The
2 county prosecutor for the county in which the jail is located is
3 responsible for enforcing the state civil infraction. A civil
4 fine collected under this section shall be paid as provided under
5 section 8831 of the revised judicature act of 1961, 1961 PA 236,
6 MCL 600.8831.

7 (7) A person who is incarcerated in a jail pending trial or
8 arraignment is entitled to a full refund of the fee paid under
9 this section if the prosecution against him or her is terminated
10 for any reason or if he or she is found not guilty of the
11 charges. Each person required to pay a fee under this section
12 shall be given a written form explaining the circumstances under
13 which he or she may request a refund under this subsection. The
14 form shall be as prescribed in section 15 of the local
15 corrections officers training act.

16 Enacting section 1. This amendatory act takes effect
17 October 1, 2003.

18 Enacting section 2. This amendatory act does not take
19 effect unless all of the following bills of the 92nd Legislature
20 are enacted into law:

21 (a) House Bill No. 4515.

22 (b) House Bill No. 4516.