

# HOUSE BILL No. 6321

November 4, 2004, Introduced by Reps. Richardville and Wojno and referred to the Committee on Criminal Justice.

A bill to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," by amending section 4b (MCL 801.4b), as added by 2003 PA 124.

**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, 2003 PA 125, MCL 791.531 to 791.546.

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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, **2003 PA 125, MCL 791.531 to**  
9 **791.546.**

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

12 (a) Once each calendar quarter, the sheriff shall forward  
13 \$2.00 of each fee collected to the state treasurer for deposit in  
14 the local corrections officers training fund created in the local  
15 corrections officers training act, **2003 PA 125, MCL 791.531 to**  
16 **791.546.**

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

25 (6) An inmate who fails to pay a fee owed under this section  
26 before being discharged from the jail is responsible for a state  
27 civil infraction and may be ordered to pay a civil fine of

1 \$100.00. An appearance ticket may be issued to a person who  
2 fails to pay a fee owed under this section. The appearance  
3 ticket may be issued by the sheriff or a deputy sheriff. The  
4 county prosecutor for the county in which the jail is located is  
5 responsible for enforcing the state civil infraction. A civil  
6 fine collected under this section shall be paid as provided under  
7 section 8831 of the revised judicature act of 1961, 1961 PA 236,  
8 MCL 600.8831.

9 (7) A person who is incarcerated in a jail pending trial or  
10 arraignment is entitled to a full refund of the fee paid under  
11 this section if the prosecution against him or her is terminated  
12 for any reason or if he or she is found not guilty of the  
13 charges. Each person required to pay a fee under this section  
14 shall be given a written form explaining the circumstances under  
15 which he or she may request a refund under this subsection. The  
16 form shall be as prescribed in section 15 of the local  
17 corrections officers training act, **2003 PA 125, MCL 791.545.**