

**SUBSTITUTE FOR
HOUSE BILL NO. 4423**

A bill to create the sheriff patrol assistance grant act; to describe the sheriff patrol assistance grant program; to create the sheriff patrol assistance grant program fund; to provide for use of the fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "sheriff patrol assistance grant act".

3 Sec. 3. As used in this act:

4 (a) "County-funded deputy" means a law enforcement officer
5 licensed under the Michigan commission on law enforcement standards
6 act, 1965 PA 203, MCL 28.601 to 28.615, whose employment is funded
7 by a county, who is paid for uniform services as a sheriff's

1 deputy, and who is not assigned to provide uniform services or
2 court services on a contract basis.

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

4 (c) "Full grant" means a grant that provides a county the
5 funds necessary to support the employment of the full number of
6 county-funded deputies a county requested under section 5.

7 (d) "Municipality" means a city, village, or township.

8 (e) "Partial grant" means a grant that provides a county less
9 than the funds necessary to support the employment of the full
10 number of deputies a county requested under section 5, but in no
11 circumstance supports the employment of less than 1 county-funded
12 deputy.

13 (f) "Program" means the sheriff patrol communities assistance
14 program created in section 5.

15 (g) "Shared service agreement" means an agreement between a
16 county and a municipality within the county in which the county
17 agrees to provide the municipality uniform services at an agreed-
18 upon rate of reimbursement by the municipality to the county.

19 (h) "Sheriff patrol assistance grant fund" or "fund" means the
20 sheriff patrol assistance grant fund created in section 4.

21 (i) "Uniform services" means the regular duties performed by a
22 law enforcement officer, including, but not limited to, road
23 patrol, crime investigation, crime prevention, and keeping the
24 peace.

25 Sec. 4. (1) The sheriff patrol assistance grant fund is
26 created within the state treasury.

27 (2) The state treasurer may receive money or other assets from

1 any source for deposit into the fund, including general fund
2 appropriations, gifts, state and federal grants, and bequests. The
3 state treasurer shall direct the investment of the fund. The state
4 treasurer shall credit to the fund interest and earnings from fund
5 investments.

6 (3) Money in the fund at the close of the fiscal year must
7 remain in the fund and not lapse to the general fund.

8 (4) The department shall expend money from the fund, upon
9 appropriation, only to provide grants to counties as provided in
10 section 5.

11 Sec. 5. (1) Subject to appropriation, the sheriff patrol
12 assistance grant program is created within the department. The
13 department shall administer grants from the program to counties.
14 The grants provided to counties under this section must be used to
15 fund no more than 4 county-funded deputy positions in the county's
16 sheriff department at the rate described in subsection (3). Grants
17 awarded to a county under the program must be used to fund
18 additional county-funded deputies and must not be used to support
19 the employment of county-funded deputies already employed by the
20 county at the time the grant is awarded. Grants awarded under the
21 program created under this section are in addition to, and not in
22 replacement of, any other funding received by a county sheriff
23 department.

24 (2) Beginning December 1, 2017, a county may apply for a grant
25 from the program. A county seeking a grant shall apply for the
26 grant not later than 60 days after December 1, 2017. Not later than
27 60 days after January 30, 2018, the department shall determine if a

1 county that has applied as provided in this subsection is eligible
2 to receive a grant from the program. As part of its application
3 under this subsection, a county shall include data from the
4 previous 10 calendar years that demonstrate the number of county-
5 funded deputies that the county lost annually over that 10-year
6 period by including how many county-funded deputies the county
7 employed at the beginning of the 10-year period and how many
8 county-funded deputies the county employs at the time of the
9 county's application. As part of its application under this
10 subsection, a county shall also clearly indicate how many deputies
11 the county is applying to receiving funding for, which must not
12 exceed 4 county-funded deputies. As part of its application under
13 this subsection, a county shall submit an affidavit signed by the
14 county executive or chief county administrative officer attesting
15 that the information provided by the county with its application is
16 accurate. The department shall publish on its website the
17 application form and the F-65 annual local unit fiscal report
18 documentation a county is required to provide to the department to
19 apply for a grant under this subsection. The department shall
20 approve the application of a county that meets the eligibility
21 requirements under this subsection.

22 (3) If the department approves a county's application under
23 subsection (2), the department shall provide grant payments to the
24 county to fund not more than 4 county-funded deputies at the
25 reimbursement rate of an existing shared service agreement to which
26 the county is party, or if the county is not currently a party to a
27 shared service agreement, at the rate of \$70,000.00 per deputy per

1 calendar year.

2 (4) The department shall first award grants to counties
3 approved under subsection (2) with the highest percentage loss of
4 county-funded deputies calculated based upon the total number of
5 county-funded deputies employed at the beginning of the 10-year
6 period and the number of county-funded deputies employed by the
7 county at the time of its application. The department shall
8 continue awarding grants to counties approved under subsection (2)
9 based upon the calculation described in this subsection by awarding
10 the counties with the highest rates of loss and continuing to the
11 counties with lower rates of loss until all money in the fund
12 created in section 4 has been awarded. If 2 or more counties
13 approved under subsection (2) have the same rate of county-funded
14 deputies lost, and the money remaining in the fund would support
15 providing full grants to all of the counties, the department shall
16 award equal full grants to those counties. If 2 or more counties
17 approved under subsection (2) have the same rate of county-funded
18 deputies lost and the money remaining in the fund would not support
19 providing full grants to all of the counties, the department shall
20 award equal partial grants to those counties. If there is
21 insufficient money remaining in the fund to provide a county a
22 partial grant, the department shall not award the remaining money.

23 (5) A county-funded deputy who is hired by a county sheriff
24 department utilizing grant funds awarded under this act in a county
25 that is a party to a shared service agreement may be utilized by
26 the county sheriff department at the sheriff department's
27 discretion and is not required to serve in a capacity in which he

1 or she would be limited to providing uniform services to a
2 municipality with which the county has a shared service agreement.

3 (6) Grant payments under this section must be paid on a
4 monthly schedule under an agreement between the county and the
5 department. The department shall issue the first monthly grant
6 payment to a county under this section not later than April 1,
7 2018.

8 (7) Grant funding provided to a county under this section is
9 for a period of 3 years. A county may reapply for grant funding in
10 the same manner the county initially applied for grant funding
11 after 3 years have elapsed from the date a county initially
12 submitted its application under this section.

13 Enacting section 1. This act takes effect 90 days after the
14 date it is enacted into law.