

# SENATE BILL No. 1046

March 27, 2012, Introduced by Senators HILDENBRAND, ROCCA, JONES, BIEDA, KOWALL, PAVLOV, NOFS and EMMONS and referred to the Committee on Finance.

A bill to amend 2002 PA 712, entitled "Michigan Amber alert act," (MCL 28.751 to 28.754) by amending the title, as amended by 2005 PA 205; and by adding section 5.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

TITLE

An act to prescribe the Amber alert of Michigan as the official response to reports of child abductions; to prohibit certain conduct; **TO CREATE THE MICHIGAN AMBER ALERT FUND; TO PROVIDE FOR THE DISTRIBUTION OF THE MONEY FROM THE MICHIGAN AMBER ALERT FUND; TO PROVIDE FOR APPROPRIATIONS;** and to prescribe penalties.

**SEC. 5. (1) THE MICHIGAN AMBER ALERT FUND IS CREATED IN THE DEPARTMENT TO PROVIDE FUNDS FOR THE MAINTENANCE, OPERATION, AND ADMINISTRATION OF THE MICHIGAN AMBER ALERT PLAN. THE DEPARTMENT**

1 SHALL BE THE ADMINISTRATOR OF THE FUND FOR AUDITING PURPOSES.

2 (2) THE STATE TREASURER SHALL CREDIT TO THE FUND ALL AMOUNTS  
3 APPROPRIATED FOR THIS PURPOSE UNDER SECTION 435 OF THE INCOME TAX  
4 ACT OF 1967, 1967 PA 281, MCL 206.435, AND MONEY FROM ANY OTHER  
5 SOURCE FOR DEPOSIT INTO THE FUND.

6 (3) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE  
7 FUND. THE FUND SHALL CONSIST OF THE MONEY CREDITED TO THE FUND  
8 PURSUANT TO SECTION 435 OF THE INCOME TAX ACT OF 1967, 1967 PA 281,  
9 MCL 206.435, ANY INTEREST AND EARNINGS ACCRUING FROM THE SAVING AND  
10 INVESTMENT OF THAT MONEY, AND MONEY FROM ANY OTHER SOURCE.

11 (4) MONEY IN THE FUND AT THE CLOSE OF THE YEAR SHALL REMAIN IN  
12 THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

13 (5) THE MONEY, INTEREST, AND EARNINGS OF THE FUND SHALL BE  
14 EXPENDED SOLELY FOR DONATION TO THE MICHIGAN AMBER ALERT FUND. THE  
15 MONEY IN THE FUND THAT IS AVAILABLE FOR DISTRIBUTION SHALL BE  
16 APPROPRIATED EACH YEAR. MONEY GRANTED OR RECEIVED AS A GIFT OR  
17 DONATION TO THE FUND IS AVAILABLE FOR DISTRIBUTION UPON  
18 APPROPRIATION.

19 (6) AS USED IN THIS SECTION:

20 (A) "DEPARTMENT" MEANS THE DEPARTMENT OF STATE POLICE.

21 (B) "FUND" MEANS THE MICHIGAN AMBER ALERT FUND.

22 Enacting section 1. This amendatory act does not take effect  
23 unless Senate Bill No. 1047

24 of the 96th Legislature is enacted into law.