

# Legislative Analysis



## PUBLIC SERVICE ASSISTANTS GRANT PROGRAM ACT

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5131 (proposed substitute H-2)**

**Sponsor: Rep. TC Clements**

**Committee: Government Operations**

**Complete to 11-3-21**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5131 would create a new act, the Public Service Assistants Grant Program Act, to provide for grants to law enforcement agencies for hiring public service assistants.

Within 180 days after the effective date of the new act, the Michigan Commission on Law Enforcement Standards (MCOLES) would have to create, implement, and administer a grant program to award grants to *law enforcement agencies* for the purpose of hiring *public service assistants*. MCOLES could expressly delegate its responsibilities under the act to its executive director and staff. MCOLES also could develop and publish rules or procedures to implement the act, including procedures for the grant application and disbursement process and the method for establishing grant eligibility. Law enforcement agencies would become eligible for a grant by complying with the application process established by MCOLES.

*Public service assistant* would mean a full-time or part-time employee who is specially trained by a law enforcement agency and who is unarmed and has no arrest or criminal enforcement powers.

*Law enforcement agency* would mean an entity that is established and maintained in accordance with Michigan law and is authorized by Michigan law to appoint or employ law enforcement officers as defined in the MCOLES Act.

Grants awarded under the act would have to be used to establish a new program or expand an existing program operated by a law enforcement agency for the purpose of hiring public service assistants and, in the case of an existing program, would serve as a supplement to funds already budgeted for the program and not as a replacement for those funds. Grants could not be used to fill previously vacant positions for public service assistants in an existing program previously operated by a law enforcement agency.

MCOLES would have to determine the basis on which it provides the grants. In providing grants, MCOLES could consider the number of licensed law enforcement officers employed by a law enforcement agency.

The bill would create the Public Service Assistants Fund in the Department of Treasury. The state treasurer could receive money or other assets from any source for deposit into the fund, including money appropriated to the fund. The state treasurer would have to direct the investment of the fund and credit to it interest and earnings from those investments. Money in the fund at the close of the fiscal year would remain in the fund and not lapse to the general fund. MCOLES would be the administrator of the fund for auditing purposes.

MCOLES would have to expend money from the fund to carry out the purpose of the act, which would include such things as implementing the grant program, paying the reasonable expenses of staff to administer and enforce the act, and awarding grants as described above.

MCOLES would have to award grants under the act if either of the following applies:

- Sufficient funds are appropriated by the legislature.
- There are sufficient funds in the Public Service Assistants Fund.

### **FISCAL IMPACT:**

House Bill 5131 would likely create additional costs for the Department of State Police, while increasing revenues for local and county law enforcement agencies. Both the costs and revenues under the bill are of indeterminate magnitude. The costs to MSP for MCOLES administration of the grant program would likely include staff time for application intake and review, administration and monitoring of the grant program, and any necessary IT changes. Since the scope of the grants (mainly dependent on eligibility criteria and the amount of grant funding available) is presently unknown, the total projected cost for administration cannot be estimated. Additionally, it is impossible to know how much additional revenue would be available for law enforcement agencies, as the bill does not provide an appropriation to the restricted Public Service Assistants Fund created under the bill.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.