



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5494 (Substitute H-1 as reported by the Committee of the Whole)

Sponsor: Representative Larry Julian

House Committee: Judiciary

Senate Committee: Judiciary

CONTENT

The bill would enact the "Michigan Law Enforcement Officers Memorial Act" to create the Michigan Law Enforcement Officers Memorial Monument Fund and Commission and require the Commission to oversee the financing, design, and construction of a memorial monument dedicated to law enforcement officers from Michigan who died in the line of duty.

The Commission would be created within the Department of Management and Budget, and would consist of the State Treasurer and the Attorney General (or their designees), a police chaplain, and four survivors of police officers killed on duty. Members would serve without compensation but could be reimbursed for actual and necessary expenses. The Commission would be the governing body of the Monument Fund. The State Treasurer would have to seek appropriate Federal tax status for the Fund, and credit to it the money appropriated for the Fund, money received from grants and gifts, and all interest accruing on Fund money.

The monument would have to be located on land under the jurisdiction of the Michigan Capitol Park Commission but not on the grounds of the State Capitol. The name of each law enforcement officer who died in the line of duty would have to be inscribed on the monument.

The bill would prohibit a person from soliciting or collecting money for the Fund through the use of telemarketing; conducting any fund-raising activities in the name of the Fund without prior written approval from the Commission; or using the name or logo of the Fund or Commission in any fund-raising activity without the Commission's prior written approval. Each separate violation would be a misdemeanor, punishable by imprisonment for up to one year and/or a maximum fine of \$1,000.

The Commission would be dissolved after the monument was completed and all amounts due in connection with it were paid. Any balance remaining in the Fund would have to be used to maintain the monument.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would result in minimal administrative costs to the Department of Management and Budget and the Department of Treasury.

The bill would have an indeterminate fiscal impact on local governments. There are no data to indicate how many offenders would be convicted of the proposed misdemeanors. Local units would incur the costs of probation and incarceration in a local facility. Public libraries would benefit from any additional penal fine revenue collected.

Date Completed: 6-8-04

Fiscal Analyst: Bill Bowerman/Bethany Wicksall

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Analysis available @ <http://www.michiganlegislature.org>

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