

HOUSE BILL No. 5448

March 10, 2016, Introduced by Reps. Hoadley, Iden, Maturen, Plawecki, Rutledge, Schor, Brinks, Lane, Faris, Townsend, Geiss, Love, Hovey-Wright, Dianda, LaVoy, Irwin, Pagan, Moss, Gay-Dagnogo, Byrd, Brunner, Smiley, Neeley, Chang, Garrett, Phelps, Greimel, Singh, Guerra, Kivela, Santana, Vaupel, Chirkun, Wittenberg, Greig, Driskell, Sarah Roberts and Zemke and referred to the Committee on Communications and Technology.

A bill to prescribe the urgent and immediate threat to public safety notification system as the official response to situations creating urgent and immediate threats to public safety in this state; to provide for the powers and duties of state and local governmental officers and authorities; to prohibit certain conduct; to create the urgent and immediate threat to public safety notification system fund; to provide for the distribution of the money from the urgent and immediate threat to public safety notification system fund; and to prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "urgent and immediate threat to public safety notification act".

1 Sec. 2. As used in this act:

2 (a) "Department" means the department of state police.

3 (b) "Fund" means the urgent and immediate threat to public
4 safety notification system fund created in section 5.

5 (c) "Urgent and immediate threat to public safety" includes,
6 but is not limited to, an act of terrorism, an unresolved mass
7 shooting, or an unresolved mass shooting spree.

8 Sec. 3. (1) The department shall establish and maintain the
9 urgent and immediate threat to public safety notification system
10 plan.

11 (2) The urgent and immediate threat to public safety
12 notification system plan shall be designed to rapidly disseminate
13 imminent emergency and public safety related information in a
14 predetermined manner to the public by various means, including, but
15 not limited to, telephone, cellular telephone, wireless 2-way
16 communication device, dual party relay service or
17 telecommunications device, text messaging, electronic mail, and
18 facsimile, and to radio and television stations, and to be
19 integrated with federal emergency messaging systems.

20 (3) The urgent and immediate threat to public safety
21 notification system plan shall be activated only in accordance with
22 the policies established by the department.

23 Sec. 4. (1) A person shall not intentionally make a false
24 report of an urgent and immediate threat to public safety, or
25 intentionally cause a false report of an urgent and immediate
26 threat to public safety to be made, to a peace officer, police
27 agency of this state or of a local unit of government, 9-1-1

1 operator, or any other governmental employee or contractor or
2 employee of a contractor who is authorized to receive the report,
3 knowing that the report is false. A person who violates this
4 section is guilty of a felony punishable by imprisonment for not
5 more than 4 years or a fine of not more than \$2,000.00, or both.

6 (2) The court may order a person convicted under this section
7 to pay to the state or a local unit of government and the media the
8 costs of responding to the false report or threat, including, but
9 not limited to, use of police or fire emergency response vehicles
10 and teams, pursuant to section 1f of chapter IX of the code of
11 criminal procedure, 1927 PA 175, MCL 769.1f.

12 Sec. 5. (1) The urgent and immediate threat to public safety
13 notification system fund is created in the state treasury.

14 (2) The state treasurer may receive money or other assets from
15 any source for deposit into the fund. The state treasurer shall
16 direct the investment of the fund. The state treasurer shall credit
17 to the fund interest and earnings from fund investments.

18 (3) Money in the fund at the close of the fiscal year shall
19 remain in the fund and shall not lapse to the general fund.

20 (4) The department shall be the administrator of the fund for
21 auditing purposes.

22 (5) The department shall expend money from the fund, upon
23 appropriation, solely for the purposes described in this act.

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