

HOUSE BILL NO. 5094

June 23, 2021, Introduced by Rep. Whiteford and referred to the Committee on Appropriations.

A bill to amend 1989 PA 196, entitled

"An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments,"

by amending section 4 (MCL 780.904), as amended by 2018 PA 221.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The crime victim's rights fund is created as a

1 separate fund in the state treasury. The state treasurer shall
 2 credit to the fund all amounts received under this act and as
 3 provided by law. The state treasurer shall invest fund money in the
 4 same manner as surplus funds are invested under section 3 of 1855
 5 PA 105, MCL 21.143. Earnings from the fund must be credited to the
 6 fund.

7 (2) The fund must be expended only as provided in this act.
 8 Amounts in the fund in excess of the necessary revenue needed to
 9 pay for crime victim's rights services as determined by the
 10 commission under section 3(a) may be used for crime victim
 11 compensation under 1976 PA 223, MCL 18.351 to 18.368, including
 12 compensation to minor crime victims. ~~Any~~ **Subject to this section,**
 13 additional excess revenue that has not been used for crime victim
 14 compensation ~~may~~ **must** be used to provide for establishment and
 15 maintenance of a statewide trauma system, including staff support
 16 associated with trauma and related emergency medical services
 17 program activities. Not more than \$3,500,000.00 ~~must~~ **may** be
 18 expended for this purpose from the fund in any fiscal year. ~~For the~~
 19 ~~2014-2015 fiscal year only, not more than \$4,800,000.00 must be~~
 20 ~~expended for this purpose from the fund.~~

21 (3) Beginning October 1, ~~2021,~~ **2025**, the amount expended for
 22 the statewide trauma system from the fund must not exceed 50% of
 23 the maximum allowable under subsection (2), unless the amount
 24 expended is reasonably proportional to crime victims' utilization
 25 of the statewide trauma system.

26 (4) Beginning December 31, 2017 and annually after that date,
 27 the department shall report all of the following regarding minor
 28 crime victims who received crime victim compensation under this
 29 section to the legislature:

1 (a) The number of minor crime victims who received
2 compensation.

3 (b) The age, gender, and geographic location of minor crime
4 victims who received compensation.

5 (c) Whether the compensation was used for counseling or other
6 services.

7 (d) If the compensation was used for counseling, whether the
8 minor crime victim received the counseling during a 1-time visit or
9 over the course of multiple visits.

10 (5) As used in this section, "minor crime victim" means a
11 crime victim who is less than 18 years of age.