

Act No. 121  
Public Acts of 1995  
Approved by the Governor  
June 29, 1995  
Filed with the Secretary of State  
June 30, 1995

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1995**

Introduced by Reps. Hill, Llewellyn, Gernaat, Gnodtke, Lowe, Brackenridge, Green, Hammerstrom, Bush, Goschka, Jamian, Galloway, Whyman, Rhead and Bodem

# **ENROLLED HOUSE BILL No. 4236**

AN ACT to amend Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, by adding part 59a.

*The People of the State of Michigan enact:*

Section 1. Act No. 368 of the Public Acts of 1978, as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, is amended by adding part 59a to read as follows:

## **PART 59A. HEALTHY MICHIGAN FUND**

Sec. 5951. As used in this part, "fund" means the healthy Michigan fund created in section 5953.

Sec. 5953. (1) The healthy Michigan fund is created in the state treasury. The fund shall be expended only for the purposes described in section 36 of article IX of the state constitution of 1963 and as further provided in this part. The fund is in addition to, and is not intended as a replacement for, any other money appropriated to the department or other state agencies.

(2) The state treasurer shall credit to the fund all amounts dedicated for this purpose under section 36 of article IX of the state constitution of 1963 and any other amounts received by the state treasurer for the purpose of the fund.

(3) The state treasurer shall invest money in the fund in the same manner as surplus funds are invested under section 3 of Act No. 105 of the Public Acts of 1855, being section 21.143 of the Michigan Compiled Laws. Earnings shall be credited to the fund.

(4) Funds granted or funds received as gifts or donations to the fund shall be available for disbursement upon appropriation.

(5) Money remaining in the fund at the end of the fiscal year shall remain in the fund and be available for expenditure in the following year. The unencumbered balance at the close of the fiscal year shall not revert to the general fund.

Sec. 5955. Money in the fund shall be used to improve the health of the citizens of this state. Programs receiving these funds shall address the needs of vulnerable populations. Appropriations from the fund may be made to the department or other state agencies, and shall include, but not be limited to, chronic disease prevention, smoking cessation, anti-tobacco activities, maternal and child health initiatives, immunization activities, poison control, and local public health surveillance and evaluations.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.