

SUBSTITUTE FOR
SENATE BILL NO. 506

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 60 (MCL 400.60).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 60. (1) Any person who by means of ~~wilful~~ WILLFUL
2 false statement or representation, ~~or~~ by impersonation or other
3 fraudulent device, OR BY USING AN ACCESS DEVICE obtains or
4 attempts to obtain, or aids or abets any person to obtain OR
5 ATTEMPT TO OBTAIN, (a) assistance or relief to which ~~he~~ THE
6 PERSON is not entitled; or (b) a larger amount of assistance or
7 relief than that to which ~~he~~ THE PERSON is justly entitled; or
8 any officer or employee of a county, city, or district
9 ~~department of social welfare~~ FAMILY INDEPENDENCE AGENCY who
10 authorizes or recommends relief to persons known to ~~him~~ THE
11 OFFICER OR EMPLOYEE to be ineligible or to have fraudulently

1 created their eligibility; or any person who knowingly buys or
2 aids or abets in buying or in disposal of the property of a
3 person receiving assistance or relief without the consent of the
4 director or supervisor of the state department — shall, if the
5 amount involved shall be of the value of \$500.00 or less, be
6 deemed guilty of a misdemeanor —, and shall, if the amount
7 involved shall be of the value of more than \$500.00, be deemed
8 guilty of a felony, and upon conviction shall be punished as pro-
9 vided by the laws of this state. The amount involved as used in
10 this subsection shall be defined as the difference between the
11 lawful amount of assistance or aid and the amount of assistance
12 or aid actually received. If anyone receives assistance or
13 relief through means enumerated in this section, in which prose-
14 cution is deemed unnecessary, the state department or county
15 departments may take the necessary steps to recover from the
16 recipient the amount involved, plus interest at 5% per annum. On
17 conviction of the violation of the provisions of this section of
18 any officer or employee of any county, city, or district depart-
19 ment of social welfare, ~~such~~ THE officer or employee shall be
20 removed or dismissed from office. FOR THE PURPOSE OF THIS SUB-
21 SECTION, "ACCESS DEVICE" MEANS THAT TERM AS IT IS DEFINED IN
22 SECTION 300A OF THE MICHIGAN PENAL CODE, 1931 PA 328,
23 MCL 750.300A.

24 (2) There is imposed upon every person receiving relief
25 under this act either upon ~~his~~ THE PERSON'S own application or
26 by ~~his~~ THE PERSON'S inclusion, to his OR HER knowledge, in the
27 application of another the continuing obligation to supply to the

1 department issuing the relief: (a) the complete circumstances in
2 regard to ~~his~~ THE PERSON'S income from employment or from any
3 other source or the existence of income, if known to ~~him~~ THE
4 PERSON, of other persons receiving relief through the same appli-
5 cation; (b) information regarding each and every offer of employ-
6 ment for ~~himself~~ THE PERSON or, if known to him OR HER, of the
7 other persons receiving relief through the same application; (c)
8 information concerning changes in ~~his~~ THE PERSON'S circum-
9 stances or those of other persons receiving relief through the
10 same application which would decrease the need for relief; and
11 (d) the circumstances or whereabouts, known to ~~him~~ THE PERSON,
12 of relatives legally responsible for ~~his~~ THE PERSON'S support
13 or for the support of other persons receiving relief through the
14 same application if changes in ~~such~~ THOSE circumstances or
15 whereabouts could affect the amount of assistance available from
16 ~~such~~ THOSE relatives or affect their legal liability to furnish
17 support. Any person who shall neglect or refuse to submit to the
18 department issuing relief the information required by this
19 section, ~~shall,~~ if the amount of relief granted as a result of
20 ~~such~~ THE neglect or refusal ~~be~~ IS less than \$500.00, ~~be~~ IS
21 guilty of a misdemeanor, and if the amount of relief granted as a
22 result of ~~such~~ THE neglect or refusal ~~be~~ IS \$500.00 or more,
23 ~~shall be deemed~~ IS guilty of a felony, and upon conviction
24 shall be punished as provided by the laws of this state.