

Legislative Analysis



CRIME VICTIM'S RIGHTS FUND ALLOWABLE USES

House Bill 5355 (H-3) as Reported by Committee

Sponsor: Representative Gary McDowell

Committee: Appropriations

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BRIEF SUMMARY OF THE BILL:

The bill amends the Crime Victims Rights Services Act under which the Crime Victim's Rights Fund was established in 1989. The act currently allows for use of the Fund for crime victim services, and permits amounts in excess of the necessary revenues for services to be used for crime victim compensation. Revenue to the Fund is from fees assessed against convicted criminal defendants.

House Bill 5355 (H-3) amends the act to allow that, until October 1, 2010, any additional excess revenue that has not been used for victim compensation may be used to provide any of the following services: the sex offender registry, amber alert missing child notification system, polygraph tests, and forensic science expert witness testimony programs in the Michigan Department of State Police (MSP), and rape and sexual assault victim treatment services programs in the Michigan Department of Human Services (DHS).

FISCAL IMPACT:

House Bill 5355 (H-3) has state fiscal implications for the Michigan Department of Community Health (DCH), Michigan Department of Human Services and the Michigan State Police. New uses of the Crime Victim's Rights Fund included in appropriations enacted for FY 2007-08 and FY 2008-09, require statutory changes that are provided by House Bill 5355.

In Fiscal Year 2007-08, new appropriations of \$2.3 million (1.3 million for DHS and \$1,027,300 for MSP) were made for the programs described above from the Fund balance. These were enacted as interdepartmental grants through the DCH budget. Traditional spending of the Fund for crime victim programs in DCH and Information Technology is appropriated at \$11.2 million in FY 2007-08, bringing all FY 2007-08 appropriations from the Fund to a total of \$13.5 million.

For FY 2008-09, appropriations for all three affected budgets are continued at the same levels.

Over the early history of the Fund, revenue often exceeded spending, resulting in a Fund balance annually at year end. The Fund balance is now slowly being used as expenditures have exceeded revenues since FY 2003. The additional commitment of Crime Victim's Rights Fund monies to the DHS and MSP will accelerate the reduction of the Fund balance. The Fund balance carried forward into FY 2007-08 was \$11.7 million.

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