



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5355 (Substitute H-3 as passed by the House)
Sponsor: Representative Gary McDowell
House Committee: Appropriations
Senate Committee: Appropriations

Date Completed: 12-9-08

CONTENT

The bill would amend the Crime Victims Rights Services Act to allow, until October 1, 2010, any excess revenue from the Crime Victims Right's Fund not used for victim compensation to be used to provide any of the following services:

- The operation and enhancement of the sex offender registry under the Sex Offenders Registration Act.
- The amber alert missing child program under the Michigan Amber Alert Act.
- Treatment services for victims of rape and sexual assault.
- Polygraph examinations under the Polygraph Protection Act.
- The expert witness testimony of a forensic scientist.

MCL 780.901 et al.

FISCAL IMPACT

The bill would have an impact on the FY 2008-09 budgets for the Michigan Department of State Police (MSP) and the Department of Human Services (DHS), each containing certain appropriations funded by excess Crime Victim's Rights Fund money that may be spent legally only if the legislation becomes law. These funds would be sent by interdepartmental grant (IDG) from the Department of Community Health, which for FY 2008-09 has been appropriated \$10,347,600 in these funds for its central role in crime victim rights programs, separate from any IDGs. In FY 2008-09, the MSP has been appropriated, via IDG from this Fund, \$481,700 for the sex offender registry, which provides crime victims with information about the location and status of their offenders; \$121,500 for the Michigan Amber Alert, a program to reduce the time to locate a missing child and apprehend a suspect in an abduction; \$300,000 for polygraph services, to conduct postarrest polygraph tests; and \$130,000 to provide expert testimony at court to expedite case disposition. The DCH has been appropriated \$1.3 million from the Fund via IDG for FY 2008-09, to be used to support treatment services for victims of rape and sexual assault. The Departments also have a similar FY 2007-08 appropriation, yet unused, from the Fund.

The excess, or carry-forward, Crime Victim's Rights Fund money is available due to the fact that, during the early years of the Fund, revenue commonly exceeded spending, leaving an annual Fund balance that built up over time. In recent years, with growing expenditures, that balance has begun to recede. The Fund balance carried forward into FY 2007-08 was \$11.7 million. The expanded legal use of these funds under the bill would accelerate the reduction of the Fund balance.

Fiscal Analyst: Bruce R. Baker

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