

# HOUSE BILL No. 5699

February 12, 2008, Introduced by Reps. Spade, Stahl, Lahti, Clemente, Booher, Shaffer, Polidori and Jackson and referred to the Committee on Appropriations.

A bill to amend 1974 PA 150, entitled  
"Youth rehabilitation services act,"  
by amending section 5 (MCL 803.305), as amended by 1998 PA 517.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 5. (1) Except as provided in subsection (3), the county  
2       from which the public ward is committed is liable to the state for  
3       50% of the cost of his or her care, but this amount may be reduced  
4       by the use of funds from the annual original foster care grant of  
5       the state to the county, or otherwise, for any period in respect to  
6       which the department has made a finding that the county is unable  
7       to bear 50% of the cost of care. If the department reduces a  
8       county's liability under this section, the director shall inform  
9       the respective chairpersons of the appropriations committees of the  
10      senate and house of representatives at least 14 days before  
11      granting the reduction. The county of residence of the public ward

1 is liable to the state, rather than the county from which the youth  
2 was committed, if the juvenile division of the probate court or the  
3 family division of circuit court of the county of residence  
4 withheld consent to a transfer of proceedings under section 2 of  
5 chapter XIIIA of 1939 PA 288, MCL 712A.2, as determined by the  
6 department. The finding that the county is unable to bear 50% of  
7 the expense shall be based on a study of the financial resources  
8 and necessary expenditures of the county made by the department.

9 ~~—— (2) The department shall determine the cost of care on a per~~  
10 ~~diem basis using the initial annual allotment of appropriations for~~  
11 ~~the current fiscal year exclusive of capital outlay and the~~  
12 ~~projected occupancy figures upon which that allotment was based.~~  
13 ~~That cost of care applies in determining required reimbursement to~~  
14 ~~the state for care provided during the calendar year immediately~~  
15 ~~following the beginning of the current fiscal year for which the~~  
16 ~~state expenditures were allotted.~~

17 (2) THE LEGISLATURE SHALL DETERMINE THE COST OF CARE BY  
18 DIVIDING THE AMOUNT OBTAINED UNDER SUBDIVISION (A) BY THE NUMBER OF  
19 DAYS DETERMINED UNDER SUBDIVISION (B) AS FOLLOWS:

20 (A) ADD THE INITIAL APPROPRIATION FOR THE FACILITIES TO AN  
21 ALLOCATION FROM THE APPROPRIATION FOR JUVENILE JUSTICE FIELD STAFF,  
22 ADMINISTRATION, AND MAINTENANCE, AND SUBTRACT AMOUNTS FOR  
23 APPLICABLE FEDERAL MEAL REIMBURSEMENTS.

24 (B) THE PROJECTED DAYS OF CARE AS DETERMINED BY THE  
25 LEGISLATURE IN CONSULTATION WITH THE DEPARTMENT.

26 (3) A county that is a county juvenile agency is liable for  
27 the entire cost of a public ward's care while he or she is

1 committed to the county juvenile agency.