

**SUBSTITUTE FOR
HOUSE BILL NO. 5666**

A bill to amend 1989 PA 196, entitled

"An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments,"

by amending section 4 (MCL 780.904), as amended by 2008 PA 396.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The crime victim's rights fund is created as a
2 separate fund in the state treasury. The state treasurer shall
3 credit to the fund all amounts received under this act and as
4 provided by law. The state treasurer shall invest fund money in the
5 same manner as surplus funds are invested under section 3 of 1855

1 PA 105, MCL 21.143. Earnings from the fund shall be credited to the
2 fund.

3 (2) The fund shall be expended only as provided in this act.
4 Amounts in the fund in excess of the necessary revenue determined
5 by the commission under section 3(a) may be used for crime victim
6 compensation under 1976 PA 223, MCL 18.351 to 18.368. ~~Before~~
7 ~~October 1, 2009, any~~ **ANY** additional excess revenue that has not
8 been used for crime victim compensation may be used to provide any
9 of the following services:

10 **(A) BEFORE OCTOBER 1, 2010, ANY OF THE FOLLOWING SERVICES:**

11 **(i)** ~~(a)~~ The operation and enhancement of the sex offender
12 registry compiled and maintained under the sex offenders
13 registration act, 1994 PA 295, MCL 28.721 to 28.736.

14 **(ii)** ~~(b)~~ The Amber alert program under the Michigan Amber alert
15 act, 2002 PA 712, MCL 28.751 to 28.754.

16 **(iii)** ~~(c)~~ Treatment services for victims of conduct prohibited
17 under sections 520b to 520g of the Michigan penal code, 1931 PA
18 328, MCL 750.520b to 750.520g.

19 **(iv)** ~~(d)~~ Polygraph examination as that term is defined under
20 section 2 of the polygraph protection act of 1981, 1982 PA 44, MCL
21 37.202.

22 **(v)** ~~(e)~~ The expert witness testimony of a forensic scientist.

23 **(B) THE ESTABLISHMENT AND MAINTENANCE OF A STATEWIDE TRAUMA**
24 **SYSTEM, INCLUDING STAFF SUPPORT ASSOCIATED WITH TRAUMA AND RELATED**
25 **EMERGENCY MEDICAL SERVICES PROGRAM ACTIVITIES. NOT MORE THAN**
26 **\$3,500,000.00 SHALL BE EXPENDED FOR THIS PURPOSE FROM THE FUND IN**
27 **ANY FISCAL YEAR.**

1 (C) BEGINNING OCTOBER 1, 2014, THE AMOUNT EXPENDED FOR THE
2 STATEWIDE TRAUMA SYSTEM FROM THE FUND SHALL NOT EXCEED 50% OF THE
3 MAXIMUM ALLOWABLE UNDER SUBDIVISION (B), UNLESS THE AMOUNT EXPENDED
4 IS REASONABLY PROPORTIONAL TO CRIME VICTIMS' UTILIZATION OF THE
5 STATEWIDE TRAUMA SYSTEM.