

# HOUSE BILL No. 5118

June 17, 2009, Introduced by Rep. Tlaib and referred to the Committee on Regulatory Reform.

A bill to amend 1987 PA 264, entitled  
"Health and safety fund act,"  
by amending section 5 (MCL 141.475), as amended by 2008 PA 586.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 5. The state treasurer shall cause to be distributed from  
2 the health and safety fund the following amounts in the ~~1988-89~~  
3 **1988-1989** fiscal year and in each **FISCAL YEAR** following **THE 1988-**  
4 **1989** fiscal year:

5       (a) One-fourth of the collections deposited in the fund under  
6 section 3(2) shall be used for indigent volume adjusters for  
7 hospitals within the medicaid program.

8       (b) After the distribution in subdivision (a), \$16,000,000.00  
9 of the amount deposited in the fund under section 3(2) shall be

1 distributed as follows:

2 (i) Except as provided in subparagraph (iii), to a county that  
3 received a loan authorized under section 3(2) or (3) of the  
4 emergency municipal loan act, 1980 PA 243, MCL 141.933, to pay  
5 outstanding obligations of the county; for the repayment of  
6 principal and interest on any loans made to the county under the  
7 emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942;  
8 and for the payment of principal, premium, if any, and interest due  
9 during a fiscal year on bonds issued by that county under the  
10 fiscal stabilization act, 1981 PA 80, MCL 141.1001 to 141.1011. The  
11 distributions under this subparagraph shall be made as necessary  
12 and only to the extent necessary to satisfy the obligations of the  
13 county.

14 (ii) Except as provided in subparagraph (iii), to the extent that  
15 \$16,000,000.00 is no longer necessary to satisfy the obligations  
16 under subparagraph (i), a portion of the amount not required for  
17 satisfaction of obligations shall be distributed to each county  
18 that receives or has received a loan authorized under section 3(2)  
19 or (3) of the emergency municipal loan act, 1980 PA 243, MCL  
20 141.933, in an amount determined by multiplying the amount  
21 available for distribution under this subparagraph by a fraction,  
22 the numerator of which is the population of the county receiving  
23 the distribution and the denominator of which is the total  
24 population of the state according to the most recent decennial  
25 census. The distribution under this subparagraph shall be made at  
26 the same times and shall be used, subject to section 6, for the  
27 same purposes described in subdivision (c). The remaining amount

1 available for distribution under this subparagraph shall be used on  
2 a per capita basis to offset the cost to the state of the  
3 assumption of the financing of the state court system in the  
4 counties not receiving a distribution under this subparagraph.

5 (iii) In the 2008-2009 fiscal year through the 2014-2015 fiscal  
6 year, \$16,000,000.00 of the amount deposited in the fund under  
7 section 3(2) shall be transferred to and deposited in the  
8 convention facility development fund created under the state  
9 convention facility development act, 1985 PA 106, MCL 207.621 to  
10 207.640, for distribution and use only in the manner and for the  
11 purposes stated in that act and no amount shall be distributed  
12 under subparagraph (i) or (ii). In the 2015-2016 fiscal year through  
13 the 2038-2039 fiscal year, \$15,000,000.00 of the amount deposited  
14 in the fund under section 3(2) shall be transferred to and  
15 deposited in the convention facility development fund created under  
16 the state convention facility development act, 1985 PA 106, MCL  
17 207.621 to 207.640, for distribution and use ~~only~~-**EXCLUSIVELY** in  
18 the manner and for the purposes stated in that act and  
19 \$1,000,000.00 shall be distributed under subparagraphs (i) and (ii).

20 (c) The remaining amount deposited in the fund under section  
21 3(2) not distributed under subdivisions (a) and (b) shall be  
22 distributed to each county that does not receive and has never  
23 received a loan authorized under section 3(2) or (3) of the  
24 emergency municipal loan act, 1980 PA 243, MCL 141.933, on a per  
25 capita basis according to the ratio that the population of the  
26 county receiving the distribution under this subdivision, according  
27 to the most recent decennial census, bears to the total population

1 of all counties receiving distribution under this subdivision,  
2 according to the most recent decennial census. A distribution under  
3 this subdivision shall be made each February, May, August, and  
4 November from the collections that were deposited in the fund under  
5 section 3(2) in the immediately preceding calendar quarter. Subject  
6 to section 6, 12/17 of the distribution under this subdivision  
7 shall be distributed to each local health department as defined in  
8 section 1105 of the public health code, 1978 PA 368, MCL 333.1105,  
9 in the county receiving the distribution on a per capita basis,  
10 based on the most recent decennial census, to be used only for  
11 public health prevention programs and services. This distribution  
12 is in addition to and is not intended as a replacement for any  
13 other state or county payments to these health departments. This  
14 distribution satisfies the requirements of former section 7a(3) of  
15 1947 PA 265. The remaining 5/17 of the distribution shall be used  
16 only for 1 or more of the following:

17 (i) The operation, maintenance, or expansion of an existing  
18 county jail facility or juvenile facility.

19 (ii) The acquisition, construction, and equipping of a new jail  
20 facility or juvenile facility.

21 (iii) Court operations.