

# HOUSE BILL No. 5666

December 8, 2009, Introduced by Reps. Bauer, Lahti, McDowell, Schuitmaker, Hildenbrand, Rick Jones, Opsommer, Denby, Tyler, Meekhof, Elsenheimer, Scripps, Neumann, Liss, Hammel, Pearce, Coulouris, Haase, Espinoza and Spade and referred to the Committee on Judiciary.

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
- 6       PA 105, MCL 21.143. Earnings from the fund shall be credited to the

1 fund.

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

9 (A) **THE ESTABLISHMENT AND MAINTENANCE OF A STATEWIDE TRAUMA**  
10 **SYSTEM, INCLUDING STAFF SUPPORT ASSOCIATED WITH TRAUMA AND RELATED**  
11 **EMERGENCY MEDICAL SERVICES PROGRAM ACTIVITIES. NOT MORE THAN**  
12 **\$3,500,000.00 SHALL BE EXPENDED FOR THIS PURPOSE FROM THE FUND IN**  
13 **ANY FISCAL YEAR.**

14 (B) **TREATMENT SERVICES FOR VICTIMS OF CONDUCT PROHIBITED UNDER**  
15 **SECTIONS 520B TO 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL**  
16 **750.520B TO 750.520G.**

17 (3) **BEFORE OCTOBER 1, 2010, ANY ADDITIONAL REVENUE THAT HAS**  
18 **NOT BEEN USED FOR CRIME VICTIM COMPENSATION OR FOR A PURPOSE LISTED**  
19 **UNDER SUBSECTION (2) MAY BE USED TO PROVIDE ANY OF THE FOLLOWING**  
20 **SERVICES:**

21 (a) The operation and enhancement of the sex offender registry  
22 compiled and maintained under the sex offenders registration act,  
23 1994 PA 295, MCL 28.721 to 28.736.

24 (b) The Amber alert program under the Michigan Amber alert  
25 act, 2002 PA 712, MCL 28.751 to 28.754.

26 ~~—— (c) Treatment services for victims of conduct prohibited under~~  
27 ~~sections 520b to 520g of the Michigan penal code, 1931 PA 328, MCL~~

1 ~~750.520b to 750.520g.~~

2 (C) ~~(d)~~ Polygraph examination as that term is defined under  
3 section 2 of the polygraph protection act of 1981, 1982 PA 44, MCL  
4 37.202.

5 (D) ~~(e)~~ The expert witness testimony of a forensic scientist.