

HOUSE BILL No. 5383

February 18, 2016, Introduced by Reps. Price, Garcia, Poleski and Pscholka and referred to the Committee on Appropriations.

A bill to amend 2000 PA 489, entitled
"Michigan trust fund act,"
by amending section 2 (MCL 12.252), as amended by 2005 PA 232, and
by adding section 12.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (A) "COMMUNITY DISTRICT EDUCATION TRUST FUND" MEANS THE
3 COMMUNITY DISTRICT EDUCATION TRUST FUND CREATED IN SECTION 12.

4 (B) ~~(a)~~ "Medicaid benefits trust fund" means the Michigan
5 ~~medicaid~~ **MEDICAID** benefits trust fund established in section 5.

6 (C) ~~(b)~~ "Medicaid program" means a program for medical
7 assistance established under title XIX of the social security act,
8 ~~chapter 531, 49 Stat. 620, 42 USC 1396 to 1396f, 1396g-1 to 1396r-~~
9 ~~6, and 1396r-8 to 1396v.~~ **1396W-5.**

10 (D) ~~(e)~~ "Medicaid special financing payments" means the

1 ~~medicaid~~ **MEDICAID** special adjustor payments each year authorized in
2 the department of community health appropriations act.

3 (E) ~~(d)~~—"Michigan merit award trust fund" means the Michigan
4 merit award trust fund established in section 9.

5 ~~—— (e) "Residual tobacco settlement revenue" means any residual~~
6 ~~interests, as defined by the Michigan tobacco settlement finance~~
7 ~~authority act, that are received by this state.~~

8 (f) "Tobacco settlement revenue" means money received by this
9 state that is attributable to the master settlement agreement
10 incorporated into a consent decree and final judgment entered into
11 on December 7, 1998 in Kelly Ex Rel. Michigan v Philip Morris
12 Incorporated, et al., Ingham ~~county~~ **COUNTY** circuit court, docket
13 no. 96-84281CZ, including any rights to receive money attributable
14 to the master settlement agreement that has been sold by this
15 state.

16 (g) "21st century jobs trust fund" means the 21st century jobs
17 trust fund established in section 7.

18 **SEC. 12. (1) THE COMMUNITY DISTRICT EDUCATION TRUST FUND IS**
19 **CREATED WITHIN THE STATE TREASURY.**

20 **(2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM**
21 **ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL**
22 **DIRECT THE INVESTMENT OF THE COMMUNITY DISTRICT EDUCATION TRUST**
23 **FUND. THE STATE TREASURER SHALL CREDIT TO THE COMMUNITY DISTRICT**
24 **EDUCATION TRUST FUND INTEREST AND EARNINGS FROM COMMUNITY DISTRICT**
25 **EDUCATION TRUST FUND INVESTMENTS.**

26 **(3) MONEY IN THE COMMUNITY DISTRICT EDUCATION TRUST FUND AT**
27 **THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE COMMUNITY DISTRICT**

1 EDUCATION TRUST FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

2 (4) THE DEPARTMENT OF TREASURY SHALL BE THE ADMINISTRATOR OF
3 THE COMMUNITY DISTRICT EDUCATION TRUST FUND FOR AUDITING PURPOSES.

4 (5) THE DEPARTMENT OF TREASURY SHALL EXPEND MONEY FROM THE
5 COMMUNITY DISTRICT EDUCATION TRUST FUND, UPON APPROPRIATION, ONLY
6 TO OFFSET THE ABSENCE OF LOCAL SCHOOL OPERATING REVENUE IN A
7 COMMUNITY DISTRICT IN THE FUNDING OF THE STATE PORTION OF
8 FOUNDATION ALLOWANCES UNDER SECTION 22B OF THE STATE SCHOOL AID ACT
9 OF 1979, 1979 PA 94, MCL 388.1622B. AS USED IN THIS SUBSECTION,
10 "COMMUNITY DISTRICT" MEANS THAT TERM AS DEFINED IN SECTION 3 OF THE
11 REVISED SCHOOL CODE, 1976 PA 451, MCL 380.3.