

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 21

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 2015 PA 9.

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~~ **MUST** be credited
7 to the fund.

1 (2) The fund ~~shall~~**MUST** be expended only as provided in this
2 act. Amounts in the fund in excess of the necessary revenue **NEEDED**
3 **TO PAY FOR CRIME VICTIM'S RIGHTS SERVICES AS** determined by the
4 commission under section 3(a) may be used for crime victim
5 compensation under 1976 PA 223, MCL 18.351 to 18.368, **INCLUDING**
6 **COMPENSATION TO MINOR CRIME VICTIMS**. Any additional excess revenue
7 that has not been used for crime victim compensation may be used to
8 provide for establishment and maintenance of a statewide trauma
9 system, including staff support associated with trauma and related
10 emergency medical services program activities. Not more than
11 \$3,500,000.00 ~~shall~~**MUST** be expended for this purpose from the fund
12 in any fiscal year. For the 2014-2015 fiscal year only, not more
13 than \$4,800,000.00 ~~shall~~**MUST** be expended for this purpose from the
14 fund.

15 (3) Beginning October 1, 2018, the amount expended for the
16 statewide trauma system from the fund ~~shall~~**MUST** not exceed 50% of
17 the maximum allowable under subsection (2), unless the amount
18 expended is reasonably proportional to crime victims' utilization
19 of the statewide trauma system.

20 (4) **BEGINNING DECEMBER 31, 2017 AND ANNUALLY AFTER THAT DATE,**
21 **THE DEPARTMENT SHALL REPORT ALL OF THE FOLLOWING REGARDING MINOR**
22 **CRIME VICTIMS WHO RECEIVED CRIME VICTIM COMPENSATION UNDER THIS**
23 **SECTION TO THE LEGISLATURE:**

24 **(A) THE NUMBER OF MINOR CRIME VICTIMS WHO RECEIVED**
25 **COMPENSATION.**

26 **(B) THE AGE, GENDER, AND GEOGRAPHIC LOCATION OF MINOR CRIME**
27 **VICTIMS WHO RECEIVED COMPENSATION.**

1 (C) WHETHER THE COMPENSATION WAS USED FOR COUNSELING OR OTHER
2 SERVICES.

3 (D) IF THE COMPENSATION WAS USED FOR COUNSELING, WHETHER THE
4 MINOR CRIME VICTIM RECEIVED THE COUNSELING DURING A 1-TIME VISIT OR
5 OVER THE COURSE OF MULTIPLE VISITS.

6 (5) AS USED IN THIS SECTION, "MINOR CRIME VICTIM" MEANS A
7 CRIME VICTIM WHO IS LESS THAN 18 YEARS OF AGE.

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.