

SENATE BILL No. 21

January 18, 2017, Introduced by Senators WARREN, PROOS, O'BRIEN, JONES, COLBECK, KNOLLENBERG, HORN, BOOHER, SCHUITMAKER, BRANDENBURG, HANSEN, KOWALL, GREGORY and JOHNSON and referred to the Committee on Michigan Competitiveness.

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 be credited to the
7 fund.

(2) The fund shall be expended only as provided in this act. Amounts in the fund in excess of the necessary revenue determined by the commission under section 3(a) may be used for crime victim compensation under 1976 PA 223, MCL 18.351 to 18.368. Any additional excess revenue that has not been used for crime victim compensation may be used ~~to~~ **AS FOLLOWS:**

(A) TO provide for establishment and maintenance of a statewide trauma system, including staff support associated with trauma and related emergency medical services program activities. Not more than \$3,500,000.00 shall be expended for this purpose from the fund in any fiscal year. For the 2014-2015 fiscal year only, not more than \$4,800,000.00 shall be expended for this purpose from the fund.

(B) TO BE PROVIDED TO CHILDREN'S ADVOCACY CENTERS TO ASSIST IN PROVIDING SERVICES TO CHILDREN WHO HAVE EXPERIENCED TRAUMA OR ABUSE AS A RESULT OF A CRIMINAL OFFENSE. NOT MORE THAN \$1,000,000.00 SHALL BE EXPENDED FOR THIS PURPOSE FROM THE FUND IN ANY FISCAL YEAR.

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

(4) AS USED IN THIS SECTION, "CHILDREN'S ADVOCACY CENTER" MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE CHILDREN'S ADVOCACY ACT, 2008 PA 544, MCL 722.1042, THAT ALLOWS FOR A LAW ENFORCEMENT AGENCY, A PROSECUTING ATTORNEY, OR A CHILD PROTECTIVE SERVICES

1 INVESTIGATOR TO OBSERVE A FORENSIC INTERVIEW WITH A CHILD WHO HAS
2 EXPERIENCED TRAUMA OR ABUSE AS A RESULT OF A CRIMINAL OFFENSE. A
3 CHILDREN'S ADVOCACY CENTER MAY ALSO BE A PLACE WHERE A CHILD WHO
4 HAS EXPERIENCED TRAUMA OR ABUSE AS A RESULT OF A CRIMINAL OFFENSE
5 AND THE NONOFFENDING CAREGIVER MAY RECEIVE SUPPORT, CRISIS
6 INTERVENTION, AND ONGOING THERAPY FOR THE TRAUMA OR ABUSE.

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