

HOUSE BILL No. 5314

November 30, 2017, Introduced by Reps. VerHeulen, Hauck, Lower, Albert, Inman, Frederick, Leutheuser and Howell and referred to the Committee on Michigan Competitiveness.

A bill to amend 2000 PA 489, entitled
"Michigan trust fund act,"
by amending section 2 (MCL 12.252), as amended by 2016 PA 193, and
by adding sections 14 and 16.

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) "Medicaid benefits trust fund" means the Michigan Medicaid
5 benefits trust fund established in section 5.

6 (c) "Medicaid program" means a program for medical assistance
7 established under title XIX of the social security act, 42 USC 1396
8 to 1396w-5.

(d) "Medicaid special financing payments" means the Medicaid special adjustor payments each year authorized in the department of community health **AND HUMAN SERVICES** appropriations act.

(e) "Michigan merit award trust fund" means the Michigan merit award trust fund established in section 9.

(F) "REVENUE SHARING TRUST FUND" MEANS THE REVENUE SHARING TRUST FUND ESTABLISHED IN SECTION 14.

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

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

SEC. 14. (1) THE REVENUE SHARING TRUST FUND IS ESTABLISHED IN THE DEPARTMENT OF TREASURY. THE REVENUE SHARING TRUST FUND CONSISTS OF 1 OR MORE OF THE FOLLOWING:

(A) MONEY DEPOSITED IN THE REVENUE SHARING TRUST FUND AS REQUIRED BY SECTION 25 OF THE GENERAL SALES TAX ACT, 1933 PA 167, MCL 205.75.

(B) DONATIONS OF MONEY MADE TO THE REVENUE SHARING TRUST FUND FROM ANY SOURCE.

(C) INTEREST AND EARNINGS FROM REVENUE SHARING TRUST FUND INVESTMENTS.

1 (2) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE
2 REVENUE SHARING TRUST FUND.

3 (3) MONEY IN THE REVENUE SHARING TRUST FUND AT THE CLOSE OF A
4 FISCAL YEAR MUST REMAIN IN THE REVENUE SHARING TRUST FUND AND WILL
5 NOT LAPSE TO THE GENERAL FUND.

6 SEC. 16. (1) BEGINNING ON OCTOBER 15, 2018 AND ON THE
7 FIFTEENTH DAY OF EVERY OTHER MONTH THEREAFTER, FROM THE MONEY
8 RECEIVED UNDER SECTION 25(6) OF THE GENERAL SALES TAX ACT, 1933 PA
9 167, MCL 205.75, UPON APPROPRIATION, THE STATE TREASURER SHALL
10 TRANSFER AND DISBURSE \$79,187,866.00 TO BE DISTRIBUTED BY THE STATE
11 TREASURER AS FOLLOWS:

12 (A) TO EACH CITY, VILLAGE, OR TOWNSHIP IN THE SAME PROPORTION
13 THAT EACH WAS ELIGIBLE TO RECEIVE UNDER SECTION 952(1) OF ARTICLE
14 VIII OF 2017 PA 107.

15 (B) TO EACH COUNTY IN THE SAME PROPORTION THAT EACH WAS
16 ELIGIBLE TO RECEIVE UNDER SECTIONS 952(2) AND 955 OF ARTICLE VIII
17 OF 2017 PA 107.

18 (2) FOR THE 2019-2020 FISCAL YEAR AND EACH FISCAL YEAR
19 THEREAFTER, THE MONEY RECEIVED UNDER SECTION 25(7) OF THE GENERAL
20 SALES TAX ACT, 1933 PA 167, MCL 205.75, SHALL BE DISTRIBUTED BY THE
21 STATE TREASURER AS FOLLOWS:

22 (A) 50% TO EACH CITY, VILLAGE, OR TOWNSHIP IN THE SAME
23 PROPORTION THAT EACH WAS ELIGIBLE TO RECEIVE UNDER SECTION 957 OF
24 ARTICLE VIII OF 2017 PA 107.

25 (B) 50% TO EACH COUNTY IN THE SAME PROPORTION THAT EACH WAS
26 ELIGIBLE TO RECEIVE UNDER SECTIONS 952(2) AND 955 OF ARTICLE VIII
27 OF 2017 PA 107.

1 (3) MONEY IN THE REVENUE SHARING TRUST FUND MUST NOT BE
2 TRANSFERRED, EXPENDED, WITHDRAWN, OR OTHERWISE DISBURSED FROM THE
3 REVENUE SHARING TRUST FUND EXCEPT AS AUTHORIZED IN THIS SECTION.

4 (4) FOR EACH STATE FISCAL PERIOD THAT BEGINS AFTER SEPTEMBER
5 30, 2018, THE GOVERNOR AND THE STATE BUDGET DIRECTOR SHALL INCLUDE
6 IN THE ANNUAL BUDGET FOR THAT FISCAL PERIOD SUBMITTED TO THE
7 LEGISLATURE UNDER SECTION 18 OF ARTICLE V OF THE STATE CONSTITUTION
8 OF 1963 AN APPROPRIATION DIRECTING THE STATE TREASURER TO TRANSFER
9 AND DISBURSE MONEY FROM THE REVENUE SHARING TRUST FUND AS PROVIDED
10 IN THIS SECTION.

11 Enacting section 1. This amendatory act does not take effect
12 unless Senate Bill No. _____ or House Bill No. 5315 (request no.
13 04304'17 *) of the 99th Legislature is enacted into law.