

# HOUSE BILL No. 5459

January 30, 2018, Introduced by Reps. Yanez, Sabo, Chirkun, Green, Gay-Dagnogo, Cochran and Yaroch and referred to the Committee on Appropriations.

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 2017 PA 15.

**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 must be credited to the

1 fund.

2 (2) The fund must be expended only as provided in this act.  
3 Amounts in the fund in excess of the necessary revenue needed to  
4 pay for crime victim's rights services as determined by the  
5 commission under section 3(a) may be used for crime victim  
6 compensation under 1976 PA 223, MCL 18.351 to 18.368, including  
7 compensation to minor crime victims. Any additional excess revenue  
8 that has not been used for crime victim compensation may be used to  
9 provide for 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 must be expended for this purpose from the fund in  
13 any fiscal year. For the 2014-2015 fiscal year only, not more than  
14 \$4,800,000.00 must be expended for this purpose from the fund.

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

20 (3) ~~(4)~~ Beginning December 31, 2017 and annually after that  
21 date, the department shall report all of the following regarding  
22 minor crime victims who received crime victim compensation under  
23 this 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           **(4)** ~~(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.