

**SUBSTITUTE FOR
HOUSE BILL NO. 5094**

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 2018 PA 221.

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

1 same manner as surplus funds are invested under section 3 of 1855
2 PA 105, MCL 21.143. Earnings from the fund must be credited to the
3 fund.

4 (2) The fund must be expended only as provided in this act.
5 Amounts in the fund in excess of the necessary revenue needed to
6 pay for crime victim's rights services as determined by the
7 commission under section 3(a) may be used for crime victim
8 compensation under 1976 PA 223, MCL 18.351 to 18.368, including
9 compensation to minor crime victims. ~~Any~~ **Until September 30, 2022,**
10 additional excess revenue **of not more than \$3,500,000.00** that has
11 not been used for crime victim compensation may be used to provide
12 for establishment and maintenance of a statewide trauma system,
13 including staff support associated with trauma and related
14 emergency medical services program activities. ~~Not more than~~
15 ~~\$3,500,000.00 must be expended for this purpose from the fund in~~
16 ~~any fiscal year. For the 2014-2015 fiscal year only, not more than~~
17 ~~\$4,800,000.00 must be expended for this purpose from the fund.~~

18 ~~(3) Beginning October 1, 2021, the amount expended for the~~
19 ~~statewide trauma system from the fund must not exceed 50% of the~~
20 ~~maximum allowable under subsection (2), unless the amount expended~~
21 ~~is reasonably proportional to crime victims' utilization of the~~
22 ~~statewide trauma system.~~

23 **(3)** ~~(4)~~ Beginning December 31, 2017 and annually after that
24 date, the department shall report all of the following regarding
25 minor crime victims who received crime victim compensation under
26 this section to the legislature:

27 (a) The number of minor crime victims who received
28 compensation.

29 (b) The age, gender, and geographic location of minor crime

1 victims who received compensation.

2 (c) Whether the compensation was used for counseling or other
3 services.

4 (d) If the compensation was used for counseling, whether the
5 minor crime victim received the counseling during a 1-time visit or
6 over the course of multiple visits.

7 **(4)** ~~(5)~~—As used in this section, "minor crime victim" means a
8 crime victim who is less than 18 years of age.