

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Senator Stamas

ENROLLED SENATE BILL No. 114

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 2020 and September 30, 2021; and to provide for the expenditure of the appropriations.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2020-2021

Sec. 101. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2021, from the following funds:

APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	555,000,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	555,000,000

For Fiscal year
Ending Sept. 30,
2021

Federal revenues:		
Total federal revenues	\$	0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	555,000,000
Sec. 102. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	150,000,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	150,000,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	150,000,000
(2) ONE-TIME APPROPRIATIONS		
Michigan unemployment compensation funds	\$	150,000,000
GROSS APPROPRIATION	\$	150,000,000
Appropriated from:		
State general fund/general purpose	\$	150,000,000
Sec. 103. DEPARTMENT OF TREASURY		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	405,000,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	405,000,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	405,000,000
(2) ONE-TIME APPROPRIATIONS		
Afflicted business tax and fee relief	\$	405,000,000
GROSS APPROPRIATION	\$	405,000,000
Appropriated from:		
State general fund/general purpose	\$	405,000,000

PART 1A

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2019-2020

Sec. 151. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2020, from the following funds:

APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	48,012,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	48,012,300

For Fiscal year
Ending Sept. 30,
2020

Federal revenues:		
Total other federal revenues	\$	41,055,300
Special revenue funds:		
Total local revenues		0
Total private revenues		457,700
Total other state restricted revenues		0
State general fund/general purpose	\$	6,499,300
Sec. 1102. DEPARTMENT OF HEALTH AND HUMAN SERVICES		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	45,047,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	45,047,300
Federal revenues:		
Total other federal revenues		39,255,300
Special revenue funds:		
Total local revenues		0
Total private revenues		457,700
Total other state restricted revenues		0
State general fund/general purpose	\$	5,334,300
(2) CHILDREN'S SPECIAL HEALTH CARE SERVICES		
Medical care and treatment	\$	5,700,000
GROSS APPROPRIATION	\$	5,700,000
Appropriated from:		
Federal revenues:		
Total other federal revenues		5,700,000
State general fund/general purpose	\$	0
(3) MEDICAL SERVICES ADMINISTRATION		
Medical services administration	\$	457,700
GROSS APPROPRIATION	\$	457,700
Appropriated from:		
Special revenue funds:		
Total private revenues		457,700
State general fund/general purpose	\$	0
(4) MEDICAL SERVICES		
Integrated care organizations	\$	4,425,600
Pharmaceutical services		14,951,400
School-based services		14,178,300
GROSS APPROPRIATION	\$	33,555,300
Appropriated from:		
Federal revenues:		
Total other federal revenues		33,555,300
State general fund/general purpose	\$	0
(5) INFORMATION TECHNOLOGY		
Information technology services and projects	\$	5,334,300
GROSS APPROPRIATION	\$	5,334,300
Appropriated from:		
State general fund/general purpose	\$	5,334,300
Sec. 1103. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	715,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	715,000
Federal revenues:		
Total other federal revenues		0

For Fiscal year
Ending Sept. 30,
2020

Special revenue funds:		
Total local revenues	\$	0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	715,000
(2) MILITARY		
Departmentwide	\$	70,000
GROSS APPROPRIATION	\$	70,000
Appropriated from:		
State general fund/general purpose	\$	70,000
(3) MICHIGAN VETERANS AFFAIRS AGENCY		
Michigan veterans facility authority	\$	525,000
GROSS APPROPRIATION	\$	525,000
Appropriated from:		
State general fund/general purpose	\$	525,000
(4) INFORMATION TECHNOLOGY		
Information technology services and projects	\$	120,000
GROSS APPROPRIATION	\$	120,000
Appropriated from:		
State general fund/general purpose	\$	120,000
Sec. 1104. DEPARTMENT OF STATE POLICE		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	2,250,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	2,250,000
Federal revenues:		
Total other federal revenues		1,800,000
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	450,000
(2) MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS		
Public safety officers benefit program	\$	100,000
GROSS APPROPRIATION	\$	100,000
Appropriated from:		
State general fund/general purpose	\$	100,000
(3) FIELD SERVICES		
Investigative services	\$	1,800,000
GROSS APPROPRIATION	\$	1,800,000
Appropriated from:		
Federal revenues:		
Total other federal revenues		1,800,000
State general fund/general purpose	\$	0
(4) SPECIALIZED SERVICES		
Secondary road patrol program	\$	350,000
GROSS APPROPRIATION	\$	350,000
Appropriated from:		
State general fund/general purpose	\$	350,000

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year ending September 30, 2021 is \$555,000,000.00 and total state spending from state sources to be paid to local units of government is \$0.00.

Sec. 202. The appropriations made and expenditures authorized under this part and part 1 and the departments, commissions, boards, offices, and programs for which appropriations are made under this part and part 1, are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this act, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this act for the particular department, board, commission, office, or institution.

Sec. 204. It is the intent of the legislature that a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

Sec. 301. (1) No later than May 1, 2021, from the funds appropriated in part 1 for Michigan unemployment compensation funds, \$150,000,000.00 shall be deposited into the unemployment compensation fund established under section 26 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.26, for the purpose of offsetting expected exposure to state fraud and improper payment during the COVID-19 crisis.

(2) If federal funds are available and expenditures are allowable under federal law, expenditures of federal funds under this section shall occur prior to the expenditure of general fund appropriations made for the same purposes in subsection (1). General fund appropriations replaced by federal expenditures authorized under this section shall revert to the general fund.

DEPARTMENT OF TREASURY

Sec. 401. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, \$300,000,000.00 shall be used by the department of treasury to create and operate a property tax relief program to provide grants for property tax relief to afflicted businesses in this state. The department of treasury shall provide grants to afflicted businesses that have realized a significant financial hardship as a result of the COVID-19 emergency as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

(2) Grants made available to afflicted businesses under the program must meet all of the following conditions:

(a) Subject to subdivisions (b) and (c), must not exceed the amount calculated in subparagraph (i) or (ii) as follows:

(i) For an afflicted business that pays property taxes directly, an amount equal to the property taxes paid by the afflicted business for calendar year 2020.

(ii) For an afflicted business that is a lessee, an amount equal to 17% of the annual lease cost paid by the afflicted business for calendar year 2020.

(b) An afflicted business that was in operation on October 1, 2019, must be subject to the following grant schedule:

(i) Afflicted businesses that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(ii) Afflicted businesses that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(iii) Afflicted businesses that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(iv) Afflicted businesses that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An afflicted business that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the afflicted business can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(3) An afflicted business is considered to have qualified for a grant under this section if, and only if, the afflicted business has certified and attested, under penalty of perjury, to either of the following:

(a) If the business was in operation on October 1, 2019, and was either an eligible self-employed individual, independent contractor, or sole proprietorship with no employees, or had employees for which it paid salaries or wages and payroll taxes or paid independent contractors, the afflicted business was adversely impacted by the pandemic as indicated by a gross receipts loss of at least 5% for a calendar quarter in 2020 when compared to the same calendar quarter in 2019.

(b) If the business was not in operation on October 1, 2019, but started operations before June 1, 2020, and was either an eligible self-employed individual, independent contractor, or sole proprietorship with no employees, or had employees for which it paid salaries or wages and payroll taxes or paid independent contractors, the afflicted business was negatively impacted by the COVID-19 pandemic through a closure or partial closure due to an executive order or DHHS epidemic order.

(4) Any afflicted business that falsifies certification under subsection (3) shall forfeit any payments under this section and sections 402 through 405 of this part and shall repay this state all payments it has received under this section and sections 402 through 405 of this part.

(5) If the amount appropriated under this section is not sufficient to fully pay grant awards under this section, payments shall be prorated on an equal basis among all afflicted businesses that qualified for a grant under this section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(6) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Afflicted businesses shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards by June 1, 2021.

(7) The department of treasury shall submit a monthly report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that provides a listing of grants awarded in the previous month and the name of the recipient of each grant provided under the program. The department of treasury shall submit a summary of all grants awarded under the program, by industry, over the course of the current fiscal year by September 30, 2021.

(8) As used in this section:

(a) "Afflicted business" means any of the following:

(i) An entertainment venue.

(ii) An exercise facility.

(iii) A food service establishment.

(iv) A recreation facility or place of public amusement.

(v) A cosmetology shop or barber shop.

(vi) A nursery dealer or nursery grower.

(vii) An athletic trainer.

(viii) A body art facility.

(ix) A hotel or bed and breakfast.

(b) "Bed and breakfast" means that term as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(c) "Entertainment venue" includes an auditorium, arena, banquet hall, cinema, concert hall, conference center, performance venue, sporting venue, stadium, or theater.

(d) "Exercise facility" means a facility in which individuals participate in individual or group physical activity, including a gymnasium, fitness center, or exercise studio.

(e) "Food service establishment" means that term as defined in section 1107 of the food law, 2000 PA 92, MCL 289.1107.

(f) "Gross receipts" means that term as defined in section 607 of the income tax act of 1967, 1967 PA 281, MCL 206.607.

(g) "Hotel" means a building or structure kept, used, maintained as, or held out to the public to be an inn, hotel, or public lodging house. Hotel does not include a bed and breakfast as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(h) "Recreation facility or place of public amusement" includes an amusement park, arcade, bingo hall, bowling alley, casino, nightclub, skating rink, water park, or trampoline park.

Sec. 402. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, \$55,000,000.00 shall be used by the department of treasury to create and operate an unemployment insurance tax relief program to provide grants for unemployment insurance tax relief to afflicted businesses in this state. The department of treasury shall provide grants to afflicted businesses as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

- (2) Grants made available to afflicted businesses under the program must meet all of the following conditions:
- (a) Subject to subdivisions (b) and (c), must not exceed an amount equal to 50% of the amount of unemployment insurance taxes paid by the afflicted business in the 4 most recently preceding quarters.
 - (b) An afflicted business that was in operation on October 1, 2019 must be subject to the following grant schedule:
 - (i) Afflicted businesses that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).
 - (ii) Afflicted businesses that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).
 - (iii) Afflicted businesses that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).
 - (iv) Afflicted businesses that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).
 - (c) An afflicted business that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the afflicted business can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.
 - (d) Must be used only for working capital to support payroll expenses, rent, mortgage payments, utility expenses, and costs related to reopening a business.
- (3) An afflicted business is considered to have qualified for a grant under this section if, and only if, the afflicted business has certified and attested, under penalty of perjury, to both of the following:
- (a) Unemployment insurance taxes were paid and the afflicted business has documented the taxes paid for at least 1 of the 4 most recently preceding quarters to the department of treasury.
 - (b) The afflicted business was an eligible self-employed individual, independent contractor, or sole proprietorship with no employees, or had employees for which it paid salaries or wages and payroll taxes or paid independent contractors.
- (4) Any afflicted business that falsifies certification shall forfeit any payments under this section and sections 401, 403, 404, and 405 and shall repay this state all payments it has received under this section and sections 401, 403, 404, and 405.
- (5) If the amount appropriated under this section is not sufficient to fully pay grant awards under this section, payments shall be prorated on an equal basis among all afflicted businesses that qualified for a grant under this section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.
- (6) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Afflicted businesses shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards no later than June 1, 2021.
- (7) The department of treasury shall submit a monthly report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that provides a listing of grants awarded in the previous month and the name of the recipient of each grant provided under this section. The department of treasury shall submit a summary of all grants awarded under this section, by industry, over the course of the current fiscal year by September 30, 2021.
- (8) As used in this section:
- (a) "Afflicted business" means any of the following:
 - (i) An entertainment venue.
 - (ii) An exercise facility.
 - (iii) A food service establishment.
 - (iv) A recreation facility or place of public amusement.
 - (v) A cosmetologist, barber, cosmetology shop, or barber shop.
 - (vi) A nursery dealer or nursery grower.
 - (vii) An athletic trainer.
 - (viii) A body art facility.
 - (ix) A hotel or bed and breakfast.
 - (b) "Bed and breakfast" means that term as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.
 - (c) "Entertainment venue" includes an auditorium, arena, banquet hall, cinema, concert hall, conference center, performance venue, sporting venue, stadium, or theater.

(d) "Exercise facility" means a facility in which individuals participate in individual or group physical activity, including a gymnasium, fitness center, or exercise studio.

(e) "Food service establishment" means that term as defined in section 1107 of the food law, 2000 PA 92, MCL 289.1107.

(f) "Hotel" means a building or structure kept, used, maintained as, or held out to the public to be an inn, hotel, or public lodging house. Hotel does not include a bed and breakfast as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(g) "Recreation facility or place of public amusement" includes an amusement park, arcade, bingo hall, bowling alley, casino, nightclub, skating rink, water park, or trampoline park.

Sec. 403. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, \$16,500,000.00 shall be used by the department of treasury to create and operate an on-premise retail liquor license relief program to provide grants for retail liquor license relief to eligible retail liquor establishments of this state. The department of treasury shall provide grants to eligible retail liquor establishments as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

(2) As used in this section, "eligible retail liquor establishment" means an establishment that meets both of the following requirements:

(a) Possessed an on-premise retail liquor license as issued under the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303.

(b) Can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(3) Grants made available to eligible retail liquor establishments under the program must meet all of the following conditions:

(a) Subject to subdivisions (b) and (c), must not exceed the amount of fees paid by the eligible retail liquor establishment for an on-premise retail liquor license under the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, during the calendar year 2020.

(b) An eligible retail liquor establishment that was in operation on October 1, 2019 must be subject to the following grant schedule:

(i) Eligible retail liquor establishments that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(ii) Eligible retail liquor establishments that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(iii) Eligible retail liquor establishments that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(iv) Eligible retail liquor establishments that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An eligible retail liquor establishment that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the eligible retail liquor establishment can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(d) Must be used only for working capital to support payroll expenses, rent, mortgage payments, utility expenses, and costs related to reopening a business.

(4) An eligible retail liquor establishment is considered to have qualified for a grant under this section if the eligible retail liquor establishment has certified and attested that on-premise retail liquor license fees were paid, and the eligible retail liquor establishment has documented the fees paid for calendar year 2020 to the department of treasury.

(5) The department shall only consider the criteria in subsection (4) when determining if an eligible retail liquor establishment is qualified for a grant under this section.

(6) Any eligible retail liquor establishment that falsifies certification shall forfeit any payments under this section and sections 401, 402, 404, and 405.

(7) If the amount appropriated under this section is not sufficient to fully pay grant awards under those sections, payments shall be prorated on an equal basis among all eligible applicants that qualified for a grant under that section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(8) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Eligible applicants shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards no later than June 1, 2021.

(9) The department of treasury shall submit a monthly report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that provides a listing of grants awarded under this section in the previous month and the name of the recipient of each grant provided under this section. The department of treasury shall submit a summary of all grants awarded under this section, by industry, over the course of the current fiscal year by September 30, 2021.

Sec. 404. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, \$22,000,000.00 shall be used by the department of treasury to create and operate a food service establishment license relief program to provide grants for food service establishment license relief to eligible food service establishments of this state. The department of treasury shall provide grants to eligible food service establishments as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

(2) As used in this section, "eligible food service establishment" means an establishment that meets both of the following requirements:

(a) Is a food service establishment as defined in section 1107 of the food law, 2000 PA 92, MCL 289.1107.

(b) Can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(3) Grants made available to eligible food service establishments under the program must meet all of the following conditions:

(a) Subject to subdivisions (b) and (c), must not exceed the total amount of fees paid by the eligible food service establishment for a license or required inspection under the food law, 2000 PA 92, MCL 289.1101 to 289.8111, during calendar year 2020.

(b) An eligible food service establishment that was in operation on October 1, 2019 must be subject to the following grant schedule:

(i) Eligible food service establishments that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(ii) Eligible food service establishments that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(iii) Eligible food service establishments that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(iv) Eligible food service establishments that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An eligible food service establishment that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the eligible food service establishment can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(4) An eligible food service establishment is considered to have qualified for a grant under this section if the eligible food service establishment has certified and attested to both of the following:

(a) License fees required under the food law, 2000 PA 92, MCL 289.1101 to 289.8111, were paid, and the eligible food service establishment has documented the fees paid for calendar year 2020 to the department of treasury.

(b) Inspection fees were paid to either the state or local health department for inspections required for annual licensing by the food law, 2000 PA 92, MCL 289.1101 to 289.8111, and the eligible food service establishment has documented the fee paid for calendar year 2020 to the department of treasury.

(5) The department shall only consider the criteria in subsection (4) when determining if an eligible food service establishment is qualified for a grant under this section.

(6) Any eligible food service establishment that falsifies certification shall forfeit any payments under this section and sections 401, 402, 403, and 405.

(7) If the amount appropriated under this section is not sufficient to fully pay grant awards under those sections, payments shall be prorated on an equal basis among all eligible applicants that qualified for a grant under that section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(8) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Eligible applicants shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards no later than June 1, 2021.

(9) The department of treasury shall submit a monthly report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that provides a listing of grants awarded under this section in the previous month and the name of the recipient of each grant provided under this section. The department of treasury shall submit a summary of all grants awarded under this section, by industry, over the course of the current fiscal year by September 30, 2021.

Sec. 405. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, \$11,500,000.00 shall be used by the department of treasury to create and operate a license and inspection fee relief program to provide grants for license and inspection fee relief to eligible licensees of this state. The department of treasury shall provide grants to eligible licensees as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

(2) As used in this section, "eligible licensee" means a person that meets both of the following requirements:

(a) Is 1 or more of the following:

(i) An entertainment venue, including an auditorium, arena, banquet hall, cinema, concert hall, conference center, performance venue, sporting venue, stadium, or theater.

(ii) An exercise facility, which means a facility in which individuals participate in individual or group physical activity, including a gymnasium, fitness center, or exercise studio.

(iii) A food service establishment as that term is defined in section 1107 of the food law, 2000 PA 92, MCL 289.1107.

(iv) A recreation facility or place of public amusement, including an amusement park, arcade, bingo hall, bowling alley, casino, nightclub, skating rink, water park, or trampoline park.

(v) A cosmetologist, barber, cosmetology shop, or barber shop.

(vi) A nursery dealer or nursery grower.

(vii) An athletic trainer.

(viii) A body art facility.

(ix) A bed and breakfast, which means that term as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(x) A hotel, which means a building or structure kept, used, maintained as, or held out to the public to be an inn, hotel, or public lodging house. Hotel does not include a bed and breakfast as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(b) Can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(3) Grants made available to eligible licensees under the program must meet all of the following conditions:

(a) Subject to subdivisions (b) and (c), must not exceed the amount of fees paid by the eligible licensee for a state license or inspection fee during calendar year 2020. This does not include on-premise retail liquor licenses under the Michigan liquor code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, or a food service establishment license under the food law, 2000 PA 92, MCL 289.1101 to 289.8111.

(b) An eligible licensee that was in operation on October 1, 2019 must be subject to the following grant schedule:

(i) Eligible licensees that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(ii) Eligible licensees that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(iii) Eligible licensees that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(iv) Eligible licensees that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An eligible licensee that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the eligible licensee can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(4) An eligible licensee is considered to have qualified for a grant under this section if the eligible licensee has certified and attested that state license and inspection fees required under Michigan law were paid, and the eligible licensee has documented the fees paid for calendar year 2020 to the department of treasury.

(5) The department shall only consider the criteria in subsection (4) when determining if an eligible licensee is qualified for a grant under this section.

(6) Any eligible licensee that falsifies certification shall forfeit any payments under this section and sections 401 through 404.

(7) If the amount appropriated under this section is not sufficient to fully pay grant awards under those sections, payments shall be prorated on an equal basis among all eligible licensees that qualified for a grant under this section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(8) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Eligible licensees shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards no later than June 1, 2021.

(9) The department of treasury shall submit a monthly report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that provides a listing of grants awarded under this section in the previous month and the name of the recipient of each grant provided under this section. The department of treasury shall submit a summary of all grants awarded under this section, by industry, over the course of the current fiscal year by September 30, 2021.

Sec. 406. For purposes of satisfying the application requirements under sections 401 through 405, the department of treasury shall develop a combined application separated into sections by program.

PART 2A
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2019-2020

GENERAL SECTIONS

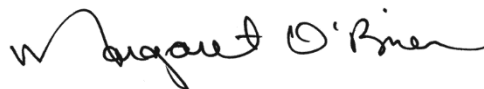
Sec. 1201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1A for fiscal year ending September 30, 2020 is \$6,499,300.00 and total state spending from state sources to be paid to local units of government is \$0.00.

Sec. 1202. The appropriations made and expenditures authorized under this part and part 1A and the departments, commissions, boards, offices, and programs for which appropriations are made under this part and part 1A are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1203. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this act, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this act for the particular department, board, commission, office, or institution.

DEPARTMENT OF TREASURY

Sec. 1301. Revenue from the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27951 to 333.27967, is appropriated and distributed pursuant to the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27951 to 333.27967.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor