

HOUSE BILL No. 6389

September 26, 2018, Introduced by Rep. Vaupel and referred to the Committee on Law and Justice.

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
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
7 fund.

1 (2) The fund must be expended only as provided in this act.
2 Amounts in the fund in excess of the necessary revenue needed to
3 pay for crime victim's rights services as determined by the
4 commission under section 3(a) **OF THIS ACT** may be used for crime
5 victim compensation under 1976 PA 223, MCL 18.351 to 18.368,
6 including compensation to minor crime victims. Any additional
7 excess revenue that has not been used for crime victim compensation
8 may be used to provide for establishment and maintenance of a
9 statewide trauma system, including staff support associated with
10 trauma and related emergency medical services program activities
11 **AND FOR THE ESTABLISHMENT AND MAINTENANCE OF CRIME SURVIVOR TRAUMA**
12 **RECOVERY CENTERS AS PROVIDED FOR IN THE CRIME SURVIVOR TRAUMA**
13 **RECOVERY CENTER ACT. FUNDS USED FOR THE ESTABLISHMENT AND**
14 **MAINTENANCE OF CRIME SURVIVOR TRAUMA RECOVERY CENTERS UNDER THIS**
15 **SECTION SHALL BE DEPOSITED INTO THE CRIME SURVIVOR RECOVERY CENTER**
16 **GRANT FUND CREATED IN SECTION 6 OF THE MICHIGAN CRIME SURVIVOR**
17 **RECOVERY CENTER ACT.** Not more than \$3,500,000.00 must be expended
18 for this purpose from the fund in any fiscal year. ~~For the 2014-~~
19 ~~2015 fiscal year only, not more than \$4,800,000.00 must be expended~~
20 ~~for this purpose from the fund.~~

21 (3) Beginning October 1, 2021, the amount expended for the
22 statewide trauma system from the fund must not exceed 50% of the
23 maximum allowable under subsection (2), unless the amount expended
24 is reasonably proportional to crime victims' utilization of the
25 statewide trauma system **AND THE CRIME SURVIVOR TRAUMA RECOVERY**
26 **CENTERS ESTABLISHED UNDER THE MICHIGAN CRIME SURVIVOR TRAUMA**
27 **RECOVERY CENTER ACT.**

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

5 (a) The number of minor crime victims who received
6 compensation.

7 (b) The age, gender, and geographic location of minor crime
8 victims who received compensation.

9 (c) Whether the compensation was used for counseling or other
10 services.

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

14 (5) As used in this section, "minor crime victim" means a
15 crime victim who is less than 18 years of age.

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