

Act No. 221
Public Acts of 2018
Approved by the Governor
June 25, 2018
Filed with the Secretary of State
June 26, 2018
EFFECTIVE DATE: September 24, 2018

STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018

Introduced by Reps. Whiteford, Alexander, Allor, Bellino, Cox, Crawford, Hughes, Kahle, LaFave, Noble, Rendon, VanderWall and Yaroch

ENROLLED HOUSE BILL No. 5901

AN ACT 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:

Sec. 4. (1) The crime victim’s rights fund is created as a separate fund in the state treasury. The state treasurer shall credit to the fund all amounts received under this act and as provided by law. The state treasurer shall invest fund money in the same manner as surplus funds are invested under section 3 of 1855 PA 105, MCL 21.143. Earnings from the fund must be credited to the fund.

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

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

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

- (a) The number of minor crime victims who received compensation.
- (b) The age, gender, and geographic location of minor crime victims who received compensation.
- (c) Whether the compensation was used for counseling or other services.
- (d) If the compensation was used for counseling, whether the minor crime victim received the counseling during a 1-time visit or over the course of multiple visits.
- (5) As used in this section, “minor crime victim” means a crime victim who is less than 18 years of age.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor