

# SENATE BILL No. 1269

May 27, 2004, Introduced by Senators GARCIA, HARDIMAN, ALLEN, BROWN, CASSIS, BIRKHOLZ, BISHOP, SANBORN, VAN WOERKOM, GILBERT, TOY, McMANUS, JELINEK, STAMAS, JOHNSON, KUIPERS, SIKKEMA, HAMMERSTROM, CROPSEY, GEORGE, GOSCHKA, PATTERSON and PRUSI and referred to the Committee on Senior Citizens and Veterans Affairs.

A bill to establish the military family relief fund in the department of military and veterans affairs to provide assistance to families of certain members of the Michigan national guard or United States armed forces reserve component or United States armed forces reserve on active duty; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act shall be known and may be cited as the  
2 "military family relief fund act".

3           Sec. 2. As used in this act:

4           (a) "Department" means the department of military and  
5 veterans affairs.

6           (b) "Fund" means the military family relief fund created in

1 section 3.

2 (c) "Qualified individual" means an individual who meets all  
3 of the following criteria:

4 (i) The individual is or was a member of the Michigan  
5 national guard serving in a United States armed forces reserve  
6 component or a member of the United States armed forces reserve  
7 called to active duty by the president of the United States or  
8 the United States secretary of defense as a result of national  
9 response to September 11, 2001 or as a response to a national  
10 emergency declared by the president of the United States and for  
11 which funds are being spent by the federal government.

12 (ii) The individual's family can document the need for  
13 financial assistance for clothing, food, housing, utilities,  
14 medical services or prescriptions, insurance payments, vehicle  
15 payments, or other related necessities of daily living during the  
16 time the individual is on active duty or the individual's family  
17 can document that the individual has incurred a service-connected  
18 injury or illness.

19 Sec. 3. (1) The military family relief fund is created as a  
20 separate fund in the department to offer grants to provide  
21 assistance to families of a resident of this state who is a  
22 qualified individual.

23 (2) The military family relief fund shall be expended only as  
24 provided in this act.

25 (3) The state treasurer shall credit to the fund all amounts  
26 designated for the fund pursuant to section 438 of the income tax  
27 act of 1967, 1967 PA 281, MCL 206.438.

1 (4) The state treasurer shall direct the investment of the  
2 fund money in the same manner as other funds are invested. The  
3 state treasurer shall credit to the fund the interest and  
4 earnings from the fund.

5 (5) Money deposited, funds granted, or funds received as  
6 gifts or donations to the fund shall be available for  
7 disbursement when deposited.

8 (6) Money in the fund at the close of the state fiscal year  
9 shall remain in the fund and shall not lapse to the general  
10 fund.

11 Sec. 4. (1) Each year that the contribution designation  
12 program under section 438 of the income tax act of 1967, 1967 PA  
13 281, MCL 206.438, is in effect, an amount equal to the cumulative  
14 designations, plus interest and dividends earned made under that  
15 section shall be appropriated from the general fund to the fund  
16 for use solely in support of the purposes provided in this act.  
17 No money from the fund shall be used for the purpose of  
18 administering the fund or implementing section 438 of the income  
19 tax act of 1967, 1967 PA 281, MCL 206.438.

20 (2) The money in the fund shall not be used by the department  
21 to replace funds otherwise designated to support similar programs  
22 within the department.

23 Sec. 5. (1) A qualified individual or the individual's  
24 family shall apply to the department for a grant from the fund.  
25 A qualified individual or the individual's family may apply for  
26 more than 1 grant in any year.

27 (2) At the time that a qualified individual or the

1 individual's family applies for a grant from the fund, the  
2 department shall provide the applicant with copies of financial  
3 planning materials and information at no cost to the applicant.

4 (3) The department shall determine criteria and review  
5 applications for grants from the fund.

6 (4) The department shall determine if the applicant is  
7 eligible for a grant from the fund and shall determine the amount  
8 of the individual's grant.

9 (5) Not more than 10 business days after the department  
10 receives an application, the department shall notify the  
11 applicant of the receipt of the application and the status of the  
12 application which shall be 1 of the following:

13 (a) The applicant is eligible for a grant, the date when the  
14 applicant will receive that grant, and the amount of the grant.

15 (b) The applicant is eligible for a grant but no funds are  
16 available and the application will be kept on file until money  
17 becomes available.

18 (c) The applicant is not eligible for a grant and the reasons  
19 why.

20 (6) If an application is denied because the applicant is not  
21 eligible, the applicant is not prohibited from subsequently  
22 applying for a grant for that purpose or any other purpose.

23 (7) Within the first 30 days of each calendar year, the  
24 department shall begin to distribute the money that was in the  
25 fund at the end of the immediately preceding state fiscal year to  
26 grant applicants until the money in the fund is exhausted.

27 (8) The maximum total amount that any qualified individual

1 and that qualified individual's family can receive in any 1  
2 calendar year is \$2,000.00. If the department determines that  
3 the qualified individual or the qualified individual's family is  
4 in an emergency situation or their needs are extreme, the  
5 department may waive the maximum under this subsection.

6       Sec. 6. The department may promulgate rules that it  
7 considers necessary to implement this act pursuant to the  
8 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
9 24.328.