

HOUSE BILL No. 5301

September 2, 2009, Introduced by Reps. Smith, Warren, Cushingberry, Young, Donigan, Jackson, Johnson, Tlaib, Lindberg, Espinoza, Stanley and Durhal and referred to the Committee on Appropriations.

A bill to establish the Michigan future trust fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties 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 "Michigan future trust fund act".

3 Sec. 3. As used in this act:

4 (a) "Department" means the department of treasury.

5 (b) "Fund" means the Michigan future trust fund created in
6 section 5.

7 Sec. 5. (1) The Michigan future trust fund is created in the
8 department and shall at all times be administered in accordance

1 with section 115 of the internal revenue code, 26 USC 115. The
2 department shall be the grantor and shall administer the fund to
3 support the Michigan future credit under section 278 of the income
4 tax act of 1967, 1967 PA 281, MCL 206.278, to provide funds to
5 support preschool programs in this state for early childhood
6 education programs for 4-year-olds, and to support the need-based
7 revolving loan fund.

8 (2) The state treasurer shall be the fiduciary of the fund.
9 The state treasurer shall credit to the fund all amounts
10 appropriated for this purpose as provided under section 51 of the
11 income tax act of 1967, 1967 PA 281, MCL 206.51, and money from any
12 other source for deposit into the fund.

13 (3) The state treasurer shall direct the investment of the
14 assets of the fund. The fund shall consist of the money intended
15 for the fund pursuant to section 51 of the income tax act of 1967,
16 1967 PA 281, MCL 206.51, any interest and earnings accruing from
17 the saving and investment of that money, and money from any other
18 source.

19 Sec. 7. (1) The assets of the fund shall be used exclusively
20 for the following and shall not be diverted for a purpose other
21 than the following:

22 (a) To support the Michigan future credit under section 278 of
23 the income tax act of 1967, 1967 PA 281, MCL 206.278.

24 (b) To support preschool programs in this state for early
25 childhood education programs for 4-year-olds.

26 (c) To support the need-based revolving fund.

27 (2) The money from the fund that is available for distribution

1 shall be appropriated each year. Money granted or received as a
2 gift or donation to the fund is available for distribution upon
3 appropriation.

4 (3) Money in the fund at the close of the year shall remain in
5 the fund and shall not lapse to the general fund.

6 Enacting section 1. This act does not take effect unless
7 Senate Bill No. ____ or House Bill No. 5300(request no. 00505'09) of
8 the 95th Legislature is enacted into law.