

SENATE BILL No. 942

May 3, 2016, Introduced by Senators WARREN, GREGORY, PROOS, EMMONS, ROCCA, BRANDENBURG, GREEN, BOOHER, NOFS, KNOLLENBERG and SCHMIDT and referred to the Committee on Michigan Competitiveness.

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 2015 PA 9.

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 shall be credited to the
7 fund.

1 (2) The fund shall be expended only as provided in this act.
2 Amounts in the fund in excess of the necessary revenue determined
3 by the commission under section 3(a) may be used for crime victim
4 compensation under 1976 PA 223, MCL 18.351 to 18.368. Any
5 additional excess revenue that has not been used for crime victim
6 compensation may be used ~~to~~ **AS FOLLOWS:**

7 (A) TO provide for establishment and maintenance of a
8 statewide trauma system, including staff support associated with
9 trauma and related emergency medical services program activities.
10 Not more than \$3,500,000.00 shall be expended for this purpose from
11 the fund in any fiscal year. For the 2014-2015 fiscal year only,
12 not more than \$4,800,000.00 shall be expended for this purpose from
13 the fund.

14 (B) TO BE PROVIDED TO CHILD ASSESSMENT CENTERS TO ASSIST IN
15 PROVIDING SERVICES TO CHILDREN WHO HAVE EXPERIENCED TRAUMA OR ABUSE
16 AS A RESULT OF A CRIMINAL OFFENSE. NOT MORE THAN \$1,000,000.00
17 SHALL BE EXPENDED FOR THIS PURPOSE FROM THE FUND IN ANY FISCAL
18 YEAR.

19 (3) Beginning October 1, 2018, the amount expended for the
20 statewide trauma system from the fund shall not exceed 50% of the
21 maximum allowable under subsection (2), unless the amount expended
22 is reasonably proportional to crime victims' utilization of the
23 statewide trauma system.

24 (4) AS USED IN THIS SECTION, "CHILD ASSESSMENT CENTER" MEANS A
25 FACILITY THAT PROVIDES A CHILD-FRIENDLY, SAFE, AND NEUTRAL LOCATION
26 IN WHICH A LAW ENFORCEMENT AGENCY, A PROSECUTING ATTORNEY, OR A
27 CHILD PROTECTIVE SERVICES INVESTIGATOR MAY OBSERVE A FORENSIC

1 INTERVIEW WITH A CHILD WHO HAS EXPERIENCED TRAUMA OR ABUSE AS A
2 RESULT OF A CRIMINAL OFFENSE. A CHILD ASSESSMENT CENTER MAY ALSO BE
3 A PLACE WHERE A CHILD WHO HAS EXPERIENCED TRAUMA OR ABUSE AS A
4 RESULT OF A CRIMINAL OFFENSE AND THE NONOFFENDING FAMILY MEMBERS
5 MAY RECEIVE SUPPORT, CRISIS COUNSELING, AND ONGOING THERAPY FOR THE
6 TRAUMA OR ABUSE.

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