No. 72
STATE OF MICHIGAN

Journal of the Senate

100th Legislature
REGULAR SESSION OF 2020

Senate Chamber, Lansing, Wednesday, September 23, 2020.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Garlin D. Gilchrist II.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Alexander—present
Ananich—present
Barrett—present
Bayer—present
Bizon—present
Brinks—present
Bullock—present
Bumstead—present
Chang—present
Daley—present
Geiss—present
Hertel—present
Hollier—excused
Horn—present
Irwin—present
Johnson—present
LaSata—present
Lauwers—present
Lucido—present
MacDonald—present
MacGregor—present
McBroom—present
McCann—present
McMorrow—present
Moss—present
Nesbitt—present
Outman—present
Polehanki—present
Runestad—present
Santana—present
Schmidt—present
Shirkey—present
Stamas—present
Theis—present
VanderWall—present
Victory—present
Wojno—present
Zorn—present

Senator Tom Barrett of the 24th District offered the following invocation:

Dear Lord, thank You for the opportunity to serve You today. Please let our work here be a reflection of the gratitude we have for the blessings that You've bestowed upon us. Please grant us the wisdom to carry out the best decisions for the people of our state, knowing that we've been entrusted with this position to act on their behalf and provide praise and glory to You throughout this entire process.

We thank You again for all of these blessings. Amen.

The President, Lieutenant Governor Gilchrist, led the members of the Senate in recital of the *Pledge of Allegiance*.

Senator Schmidt entered the Senate Chamber.

Motions and Communications

Senator MacGregor moved that Senators Nesbitt, LaSata, Shirkey, Stamas and Runestad be temporarily excused from today's session.

The motion prevailed.

Senator Chang moved that Senators Geiss and Hertel be temporarily excused from today's session.

The motion prevailed.

Senator Chang moved that Senator Hollier be excused from today's session.

The motion prevailed.

Senators Lauwers, Stamas, Hertel and Santana entered the Senate Chamber.

Senator MacGregor moved that rule 3.901 be suspended to allow filming and photographs to be taken from the Senate Gallery.

The motion prevailed, a majority of the members serving voting therefor.

Senator MacGregor moved that rule 2.107 be suspended to allow committees to meet during Senate session.

The motion prevailed, a majority of the members serving voting therefor.

Senators Geiss and LaSata entered the Senate Chamber.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:05 a.m.

10:34 a.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

During the recess, Senators Runestad and Nesbitt entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Stamas introduced

Senate Bill No. 1141, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 43 (MCL 211.43), as amended by 1994 PA 253.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Stamas introduced

Senate Bill No. 1142, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 144 (MCL 389.144), as amended by 2003 PA 306.

The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Shirkey entered the Senate Chamber.

Senator Johnson introduced

Senate Bill No. 1143, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 558 (MCL 168.558), as amended by 2018 PA 650.

The bill was read a first and second time by title and referred to the Committee on Elections.

House Bill No. 4993, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 261.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 6162, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 260.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 384, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 464b.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 385, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 465 (MCL 750.465).

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator MacGregor moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 320 **Yeas—37**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Horn	McCann	Shirkey

Bayer	Irwin	McMorrow	Stamas
Bizon	Johnson	Moss	Theis
Brinks	LaSata	Nesbitt	VanderWall
Bullock	Lauwers	Outman	Victory
Bumstead	Lucido	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn
Daley			

Nays—0

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

Conference Reports

Senator MacGregor moved that Joint Rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:
Senate Bill No. 927
The motion prevailed, a majority of the members serving voting therefor.

Senator Stamas submitted the following:

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
Senate Bill No. 927, entitled
A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, and 236 (MCL 388.1611, 388.1617b, 388.1801, and 388.1836), sections 11 and 236 as amended by 2019 PA 162, section 17b as amended by 2007 PA 137, and section 201 as amended by 2019 PA 52.
Recommends:
First: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:
A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 2, 3, 6, 11, 11a, 11d, 11j, 11k, 11m, 11p, 11s, 15, 17c, 18, 18a, 20, 20d, 20f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 31n, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67, 74, 81, 94, 94a, 95b, 98, 98a, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, 152a, 152b, 163, 201, 202a, 203, 205, 206, 207a, 207b, 207c, 209, 209a, 217, 222, 223, 226, 229, 229a, 230, 236, 236b, 236c,

237b, 238, 241, 242, 245, 245a, 256, 263, 264, 265, 265b, 267, 268, 269, 270, 275, 276, 277, 278, 279, 280, 281, 282, 289, and 296 (MCL 388.1602, 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611d, 388.1611j, 388.1611k, 388.1611m, 388.1611p, 388.1611s, 388.1615, 388.1617c, 388.1618, 388.1618a, 388.1620, 388.1620d, 388.1620f, 388.1621h, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622p, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1628, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1651f, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1661d, 388.1662, 388.1665, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1698a, 388.1699h, 388.1699s, 388.1699t, 388.1699u, 388.1699w, 388.1699x, 388.1701, 388.1704, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1747e, 388.1752a, 388.1752b, 388.1763, 388.1801, 388.1802a, 388.1803, 388.1805, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1817, 388.1822, 388.1823, 388.1826, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1837b, 388.1838, 388.1841, 388.1842, 388.1845, 388.1845a, 388.1856, 388.1863, 388.1864, 388.1865, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1896), section 2 as amended by 2018 PA 227, sections 3, 203, 222, 223, 237b, and 275 as amended by 2017 PA 108, sections 6, 11p, and 104 as amended by 2020 PA 149, sections 11, 11m, 20, 22a, 22b, 26c, 31j, 32d, 51a, 51c, 61a, 94a, 95b, 99h, 147c, 147e, 201, 236, and 256 as amended by 2020 PA 146, sections 11a, 11j, 11k, 11s, 15, 18, 20d, 20f, 21h, 22m, 22p, 24, 24a, 26a, 26b, 31d, 31f, 31n, 32p, 39, 39a, 41, 51d, 53a, 54, 54b, 56, 61b, 61d, 62, 65, 67, 74, 81, 94, 98, 99s, 107, 147, 147a, and 152a as amended by 2019 PA 58, section 11d as added by 2020 PA 146, sections 17c, 35b, and 99u as amended by 2018 PA 586, section 18a as amended by 2015 PA 85, sections 22d, 25f, 25g, 31a, and 35a as amended by 2019 PA 162, section 54d as amended and sections 28 and 51f as added by 2019 PA 58, sections 55, 99t, 152b, 226, and 229 as amended by 2018 PA 265, section 98a as added by 2020 PA 149, sections 99w and 99x as added by 2018 PA 586, section 101 as amended by 2020 PA 148, sections 105 and 105c as amended by 2008 PA 268, section 163 as amended by 2018 PA 266, section 202a as amended by 2016 PA 249, sections 205, 238, and 242 as amended by 2012 PA 201, sections 206, 207a, 207b, 207c, 209, 209a, 217, 229a, and 230 as amended by 2019 PA 52, sections 236b, 236c, 241, 245, 245a, 263, 264, 265, 265b, 267, 268, 269, 270, 276, 277, 278, 279, 280, 281, 282, and 289 as amended by 2019 PA 62, and section 296 as added by 2011 PA 62, and by adding sections 25i, 25j, 29a, 31k, 35d, 35e, 35f, 67a, 94b, 98d, 99i, 99z, 104f, 104g, 226a, 226b, 226d, 226e, 259, 260, 270b, 270c, 275f, 275g, 275h, 275i, and 281a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 2. As used in this article ~~,~~ **and** article IV ~~, and article V,~~ the words and phrases defined in sections 3 to 6 have the meanings ascribed to them in those sections.

Sec. 3. (1) "Average daily attendance", for the purposes of complying with federal law, means 92% of the pupils counted in membership on the pupil membership count day, as defined in section 6(7).

(2) "Board" means the governing body of a district or public school academy.

(3) "Center" means the center for educational performance and information created in section 94a.

(4) "Community district" means a school district organized under part 5b of the revised school code.

(5) "Cooperative education program" means a written voluntary agreement between and among districts to provide certain educational programs for pupils in certain groups of districts. The written agreement ~~shall~~ **must** be approved by all affected districts at least annually and ~~shall~~ **must** specify the educational programs to be provided and the estimated number of pupils from each district who will participate in the educational programs.

(6) "Department", except ~~in section 107,~~ **as otherwise provided in this article,** means the department of education.

(7) "District" means a local school district established under the revised school code or, except in sections 6(4), 6(6), 13, 20, 22a, **22p,** 31a, 51a(14), 105, 105c, and 166b, a public school academy. Except in section 20, district also includes a community district.

(8) "District of residence", except as otherwise provided in this subsection, means the district in which a pupil's custodial parent or parents or legal guardian resides. For a pupil described in section 24b, the pupil's district of residence is the district in which the pupil enrolls under that section. For a pupil described in section 6(4)(d), the pupil's district of residence ~~shall be~~ **is** considered to be the district or intermediate district in which the pupil is counted in membership under that section. For a pupil under court jurisdiction who is placed outside the district in which the pupil's custodial parent or parents or legal guardian resides, the pupil's district of residence ~~shall be~~ **is** considered to be the educating district or educating intermediate district.

(9) "District superintendent" means the superintendent of a district or the chief administrator of a public school academy.

Sec. 6. (1) "Center program" means a program operated by a district or by an intermediate district for special education pupils from several districts in programs for pupils with autism spectrum disorder, pupils with severe cognitive impairment, pupils with moderate cognitive impairment, pupils with severe multiple impairments, pupils with hearing impairment, pupils with visual impairment, and pupils with physical impairment or other health impairment. Programs for pupils with emotional impairment housed in buildings that do not serve regular education pupils also qualify. Unless otherwise approved by the department, a center program either serves all constituent districts within an intermediate district or serves several districts with less than 50% of the pupils residing in the operating district. In addition, special education center program pupils placed part-time in noncenter programs to comply with the least restrictive environment provisions of section 1412 of the individuals with disabilities education act, 20 USC 1412, may be considered center program pupils for pupil accounting purposes for the time scheduled in either a center program or a noncenter program.

(2) "District and high school graduation rate" means the annual completion and pupil dropout rate that is calculated by the center pursuant to nationally recognized standards.

(3) "District and high school graduation report" means a report of the number of pupils, excluding adult education participants, in the district for the immediately preceding school year, adjusted for those pupils who have transferred into or out of the district or high school, who leave high school with a diploma or other credential of equal status.

(4) "Membership", except as otherwise provided in this subsection ~~and~~ **or** this article, means for a district, a public school academy, or an intermediate district the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district on the pupil membership count day for the current school year, plus the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district for the immediately preceding school year. A district's, public school academy's, or intermediate district's membership is adjusted as provided under section 25e for pupils who enroll after the pupil membership count day in a strict discipline academy operating under sections 1311b to 1311m of the revised school code, MCL 380.1311b to 380.1311m. ~~However, except as otherwise provided in this subsection, for a community district, membership means the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the community district on the pupil membership count day for the current school year, plus the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the community district for the immediately preceding school year.~~ For 2020-2021 only, membership means for a district, a public school academy, **or** an intermediate district, ~~or a community district,~~ the sum of the product of .75 times the district's, public school academy's, **or** intermediate district's ~~, or community district's~~ 2019-2020 membership as calculated under this section in 2019-2020 and the product of .25 times [the sum of (the product of .90 times the number of full-time equated pupils engaged in pandemic learning for fall 2020 or, for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the public school academy on pupil membership count day **for the current school year**) and (the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, **or** intermediate district ~~, or community district~~ for the immediately preceding school year)]. All pupil counts used in this subsection are as determined by the department and calculated by adding the number of pupils registered for attendance plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit. The amount of the foundation allowance for a pupil in membership is determined under section 20. In making the calculation of membership, all of the following, as applicable, apply to determining the membership of a district, a public school academy, or an intermediate district:

(a) Except as otherwise provided in this subsection, and pursuant to subsection (6), a pupil is counted in membership in the pupil's educating district or districts. An individual pupil ~~shall~~ **must** not be counted for more than a total of 1.0 full-time equated membership.

(b) If a pupil is educated in a district other than the pupil's district of residence, if the pupil is not being educated as part of a cooperative education program, if the pupil's district of residence does not give the

educating district its approval to count the pupil in membership in the educating district, and if the pupil is not covered by an exception specified in subsection (6) to the requirement that the educating district must have the approval of the pupil's district of residence to count the pupil in membership, the pupil is not counted in membership in any district.

(c) A special education pupil educated by the intermediate district is counted in membership in the intermediate district.

(d) A pupil placed by a court or state agency in an on-grounds program of a juvenile detention facility, a child caring institution, or a mental health institution, or a pupil funded under section 53a, is counted in membership in the district or intermediate district approved by the department to operate the program.

(e) A pupil enrolled in the Michigan Schools for the Deaf and Blind is counted in membership in the pupil's intermediate district of residence.

(f) A pupil enrolled in a career and technical education program supported by a millage levied over an area larger than a single district or in an area vocational-technical education program established under section 690 of the revised school code, MCL 380.690, is counted in membership only in the pupil's district of residence.

(g) A pupil enrolled in a public school academy is counted in membership in the public school academy.

(h) For the purposes of this section and section 6a, for a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, that is in compliance with section 553a of the revised school code, MCL 380.553a, a pupil's participation in the cyber school's educational program is considered regular daily attendance, and for a district or public school academy, a pupil's participation in a virtual course as that term is defined in section 21f is considered regular daily attendance. For the purposes of this subdivision, for a pupil enrolled in a cyber school and utilizing sequential learning, participation means that term as defined in the pupil accounting manual, section 5-o-d: requirements for counting pupils in membership-subsection 10.

(i) For a new district or public school academy beginning its operation after December 31, 1994, membership for the first 2 full or partial fiscal years of operation is determined as follows:

(*i*) Except as otherwise provided in this subparagraph, if operations begin before the pupil membership count day for the fiscal year, membership is the average number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the pupil membership count day for the current school year and on the supplemental count day for the current school year, as determined by the department and calculated by adding the number of pupils registered for attendance on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2. However, for 2020-2021 only, if operations begin before the pupil membership count day for the fiscal year, except for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, membership is the average number of full-time equated pupils engaged in pandemic learning for fall 2020 and full-time equated pupils engaged in pandemic learning for spring 2021, as that term is defined in section 6a, as determined by the department and calculated by adding the number of pupils registered for attendance on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2.

(*ii*) If operations begin after the pupil membership count day for the fiscal year and not later than the supplemental count day for the fiscal year, membership is the final audited count of the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the supplemental count day for the current school year, but, for 2020-2021 only, except for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, membership is the final audited count of the number of full-time equated pupils engaged in pandemic learning for spring 2021, as that term is defined in section 6a.

(j) If a district is the authorizing body for a public school academy, then, in the first school year in which pupils are counted in membership on the pupil membership count day in the public school academy, the determination of the district's membership excludes from the district's pupil count for the immediately preceding supplemental count day any pupils who are counted in the public school academy on that first pupil membership count day who were also counted in the district on the immediately preceding supplemental count day.

(k) For an extended school year program approved by the superintendent, a pupil enrolled, but not scheduled to be in regular daily attendance, on a pupil membership count day, is counted in membership.

(*l*) To be counted in membership, a pupil must meet the minimum age requirement to be eligible to attend school under section 1147 of the revised school code, MCL 380.1147, or must be enrolled under

subsection (3) of that section, and must be less than 20 years of age on September 1 of the school year except as follows:

(*i*) A special education pupil who is enrolled and receiving instruction in a special education program or service approved by the department, who does not have a high school diploma, and who is less than 26 years of age as of September 1 of the current school year is counted in membership.

(*ii*) A pupil who is determined by the department to meet all of the following may be counted in membership:

(A) Is enrolled in a public school academy or an alternative education high school diploma program, that is primarily focused on educating pupils with extreme barriers to education, such as being homeless as defined under 42 USC 11302.

(B) Had dropped out of school.

(C) Is less than 22 years of age as of September 1 of the current school year.

(*iii*) If a child does not meet the minimum age requirement to be eligible to attend school for that school year under section 1147 of the revised school code, MCL 380.1147, but will be 5 years of age not later than December 1 of that school year, the district may count the child in membership for that school year if the parent or legal guardian has notified the district in writing that he or she intends to enroll the child in kindergarten for that school year.

(m) An individual who has achieved a high school diploma is not counted in membership. An individual who has achieved a high school equivalency certificate is not counted in membership unless the individual is a student with a disability as that term is defined in R 340.1702 of the Michigan Administrative Code. An individual participating in a job training program funded under former section 107a or a jobs program funded under former section 107b, administered by the department of labor and economic opportunity, or participating in any successor of either of those 2 programs, is not counted in membership.

(n) If a pupil counted in membership in a public school academy is also educated by a district or intermediate district as part of a cooperative education program, the pupil is counted in membership only in the public school academy unless a written agreement signed by all parties designates the party or parties in which the pupil is counted in membership, and the instructional time scheduled for the pupil in the district or intermediate district is included in the full-time equated membership determination under subdivision (q) and section 101. However, for pupils receiving instruction in both a public school academy and in a district or intermediate district but not as a part of a cooperative education program, the following apply:

(*i*) If the public school academy provides instruction for at least 1/2 of the class hours required under section 101, the public school academy receives as its prorated share of the full-time equated membership for each of those pupils an amount equal to 1 times the product of the hours of instruction the public school academy provides divided by the number of hours required under section 101 for full-time equivalency, and the remainder of the full-time membership for each of those pupils is allocated to the district or intermediate district providing the remainder of the hours of instruction.

(*ii*) If the public school academy provides instruction for less than 1/2 of the class hours required under section 101, the district or intermediate district providing the remainder of the hours of instruction receives as its prorated share of the full-time equated membership for each of those pupils an amount equal to 1 times the product of the hours of instruction the district or intermediate district provides divided by the number of hours required under section 101 for full-time equivalency, and the remainder of the full-time membership for each of those pupils is allocated to the public school academy.

(o) An individual less than 16 years of age as of September 1 of the current school year who is being educated in an alternative education program is not counted in membership if there are also adult education participants being educated in the same program or classroom.

(p) The department shall give a uniform interpretation of full-time and part-time memberships.

(q) The number of class hours used to calculate full-time equated memberships must be consistent with section 101. In determining full-time equated memberships for pupils who are enrolled in a postsecondary institution or for pupils engaged in an internship or work experience under section 1279h of the revised school code, MCL 380.1279h, a pupil is not considered to be less than a full-time equated pupil solely because of the effect of his or her postsecondary enrollment or engagement in the internship or work experience, including necessary travel time, on the number of class hours provided by the district to the pupil.

(r) Full-time equated memberships for pupils in kindergarten are determined by dividing the number of instructional hours scheduled and provided per year per kindergarten pupil by the same number used for determining full-time equated memberships for pupils in grades 1 to 12. However, to the extent allowable under federal law, for a district or public school academy that provides evidence satisfactory to the department that it used federal title I money in the 2 immediately preceding school fiscal years to fund

full-time kindergarten, full-time equated memberships for pupils in kindergarten are determined by dividing the number of class hours scheduled and provided per year per kindergarten pupil by a number equal to 1/2 the number used for determining full-time equated memberships for pupils in grades 1 to 12. The change in the counting of full-time equated memberships for pupils in kindergarten that took effect for 2012-2013 is not a mandate.

(s) For a district or a public school academy that has pupils enrolled in a grade level that was not offered by the district or public school academy in the immediately preceding school year, the number of pupils enrolled in that grade level to be counted in membership is the average of the number of those pupils enrolled and in regular daily attendance on the pupil membership count day and the supplemental count day of the current school year, but, for 2020-2021 only, except for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of pupils enrolled in that grade level to be counted in membership is the average of the number of those pupils engaged in pandemic learning for fall 2020 and the number of those pupils engaged in pandemic learning for spring 2021, as that term is defined in section 6a, as determined by the department. Membership is calculated by adding the number of pupils registered for attendance in that grade level on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2.

(t) A pupil enrolled in a cooperative education program may be counted in membership in the pupil's district of residence with the written approval of all parties to the cooperative agreement.

(u) If, as a result of a disciplinary action, a district determines through the district's alternative or disciplinary education program that the best instructional placement for a pupil is in the pupil's home or otherwise apart from the general school population, if that placement is authorized in writing by the district superintendent and district alternative or disciplinary education supervisor, and if the district provides appropriate instruction as described in this subdivision to the pupil at the pupil's home or otherwise apart from the general school population, the district may count the pupil in membership on a pro rata basis, with the proration based on the number of hours of instruction the district actually provides to the pupil divided by the number of hours required under section 101 for full-time equivalency. For the purposes of this subdivision, a district is considered to be providing appropriate instruction if all of the following are met:

(*i*) The district provides at least 2 nonconsecutive hours of instruction per week to the pupil at the pupil's home or otherwise apart from the general school population under the supervision of a certificated teacher.

(*ii*) The district provides instructional materials, resources, and supplies that are comparable to those otherwise provided in the district's alternative education program.

(*iii*) Course content is comparable to that in the district's alternative education program.

(*iv*) Credit earned is awarded to the pupil and placed on the pupil's transcript.

(v) If a pupil was enrolled in a public school academy on the pupil membership count day, if the public school academy's contract with its authorizing body is revoked or the public school academy otherwise ceases to operate, and if the pupil enrolls in a district within 45 days after the pupil membership count day, the department shall adjust the district's pupil count for the pupil membership count day to include the pupil in the count.

(w) For a public school academy that has been in operation for at least 2 years and that suspended operations for at least 1 semester and is resuming operations, membership is the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the first pupil membership count day or supplemental count day, whichever is first, occurring after operations resume, plus the product of .10 times the final audited count from the most recent pupil membership count day or supplemental count day that occurred before suspending operations, as determined by the superintendent, but, for 2020-2021 only, except for a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, membership is the sum of the product of .90 times the number of full-time equated pupils engaged in pandemic learning for fall 2020 or the number of full-time equated pupils engaged in pandemic learning for spring 2021, as that term is defined in section 6a, whichever applies first after operations resume, plus the product of .10 times the final audited count from the most recent pupil membership count day or supplemental count day that occurred before suspending operations, as determined by the superintendent.

(x) If a district's membership for a particular fiscal year, as otherwise calculated under this subsection, would be less than 1,550 pupils**,** ~~and~~ the district has 4.5 or fewer pupils per square mile, as determined by the department, and ~~if~~ the district does not receive funding under section 22d(2), the district's membership is considered to be the membership figure calculated under this subdivision. If a district educates and counts in its membership pupils in grades 9 to 12 who reside in a contiguous district that does not operate grades 9

to 12 and if 1 or both of the affected districts request the department to use the determination allowed under this sentence, the department shall include the square mileage of both districts in determining the number of pupils per square mile for each of the districts for the purposes of this subdivision. **If a district has established a community engagement advisory committee in partnership with the department of treasury, is required to submit a deficit elimination plan or an enhanced deficit elimination plan under section 1220 of the revised school code, MCL 380.1220, and is located in a city with a population between 9,000 and 11,000 that is in a county with a population between 155,000 and 160,000, the district's membership is considered to be the membership figure calculated under this subdivision.** The membership figure calculated under this subdivision is the greater of the following:

(*i*) The average of the district's membership for the 3-fiscal-year period ending with that fiscal year, calculated by adding the district's actual membership for each of those 3 fiscal years, as otherwise calculated under this subsection, and dividing the sum of those 3 membership figures by 3.

(*ii*) The district's actual membership for that fiscal year as otherwise calculated under this subsection.

(y) Full-time equated memberships for special education pupils who are not enrolled in kindergarten but are enrolled in a classroom program under R 340.1754 of the Michigan Administrative Code are determined by dividing the number of class hours scheduled and provided per year by 450. Full-time equated memberships for special education pupils who are not enrolled in kindergarten but are receiving early childhood special education services under R 340.1755 or R 340.1862 of the Michigan Administrative Code are determined by dividing the number of hours of service scheduled and provided per year per-pupil by 180.

(z) A pupil of a district that begins its school year after Labor Day who is enrolled in an intermediate district program that begins before Labor Day is not considered to be less than a full-time pupil solely due to instructional time scheduled but not attended by the pupil before Labor Day.

(aa) For the first year in which a pupil is counted in membership on the pupil membership count day in a middle college program, the membership is the average of the full-time equated membership on the pupil membership count day and on the supplemental count day for the current school year, as determined by the department. If a pupil described in this subdivision was counted in membership by the operating district on the immediately preceding supplemental count day, the pupil is excluded from the district's immediately preceding supplemental count for the purposes of determining the district's membership.

(bb) A district or public school academy that educates a pupil who attends a United States Olympic Education Center may count the pupil in membership regardless of whether or not the pupil is a resident of this state.

(cc) A pupil enrolled in a district other than the pupil's district of residence under section 1148(2) of the revised school code, MCL 380.1148, is counted in the educating district.

(dd) For a pupil enrolled in a dropout recovery program that meets the requirements of section 23a, the pupil is counted as 1/12 of a full-time equated membership for each month that the district operating the program reports that the pupil was enrolled in the program and was in full attendance. However, if the special membership counting provisions under this subdivision and the operation of the other membership counting provisions under this subsection result in a pupil being counted as more than 1.0 FTE in a fiscal year, the payment made for the pupil under sections 22a and 22b must not be based on more than 1.0 FTE for that pupil, and any portion of an FTE for that pupil that exceeds 1.0 is instead paid under section 25g. The district operating the program shall report to the center the number of pupils who were enrolled in the program and were in full attendance for a month not later than 30 days after the end of the month. A district shall not report a pupil as being in full attendance for a month unless both of the following are met:

(*i*) A personalized learning plan is in place on or before the first school day of the month for the first month the pupil participates in the program.

(*ii*) The pupil meets the district's definition under section 23a of satisfactory monthly progress for that month or, if the pupil does not meet that definition of satisfactory monthly progress for that month, the pupil did meet that definition of satisfactory monthly progress in the immediately preceding month and appropriate interventions are implemented within 10 school days after it is determined that the pupil does not meet that definition of satisfactory monthly progress.

(ee) A pupil participating in a virtual course under section 21f is counted in membership in the district enrolling the pupil.

(ff) If a public school academy that is not in its first or second year of operation closes at the end of a school year and does not reopen for the next school year, the department shall adjust the membership count of the district or other public school academy in which a former pupil of the closed public school academy enrolls and is in regular daily attendance for the next school year to ensure that the district or other public school academy receives the same amount of membership aid for the pupil as if the pupil were counted in the district or other public school academy on the supplemental count day of the preceding school year.

(gg) If a special education pupil is expelled under section 1311 or 1311a of the revised school code, MCL 380.1311 and 380.1311a, and is not in attendance on the pupil membership count day because of the expulsion, and if the pupil remains enrolled in the district and resumes regular daily attendance during that school year, the district's membership is adjusted to count the pupil in membership as if he or she had been in attendance on the pupil membership count day.

(hh) A pupil enrolled in a community district is counted in membership in the community district.

(ii) A part-time pupil enrolled in a nonpublic school in grades K to 12 in accordance with section 166b ~~shall~~ **must** not be counted as more than 0.75 of a full-time equated membership.

(jj) A district that borders another state or a public school academy that operates at least grades 9 to 12 and is located within 20 miles of a border with another state may count in membership a pupil who is enrolled in a course at a college or university that is located in the bordering state and within 20 miles of the border with this state if all of the following are met:

(*i*) The pupil would meet the definition of an eligible student under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, if the course were an eligible course under that act.

(*ii*) The course in which the pupil is enrolled would meet the definition of an eligible course under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, if the course were provided by an eligible postsecondary institution under that act.

(*iii*) The department determines that the college or university is an institution that, in the other state, fulfills a function comparable to a state university or community college, as those terms are defined in section 3 of the postsecondary enrollment options act, 1996 PA 160, MCL 388.513, or is an independent nonprofit degree-granting college or university.

(*iv*) The district or public school academy pays for a portion of the pupil's tuition at the college or university in an amount equal to the eligible charges that the district or public school academy would pay to an eligible postsecondary institution under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, as if the course were an eligible course under that act.

(*v*) The district or public school academy awards high school credit to a pupil who successfully completes a course as described in this subdivision.

(kk) A pupil enrolled in a middle college program may be counted for more than a total of 1.0 full-time equated membership if the pupil is enrolled in more than the minimum number of instructional days and hours required under section 101 and the pupil is expected to complete the 5-year program with both a high school diploma and at least 60 transferable college credits or is expected to earn an associate's degree in fewer than 5 years.

(*ll*) If a district's or public school academy's membership for a particular fiscal year, as otherwise calculated under this subsection, includes pupils counted in membership who are enrolled under section 166b, all of the following apply for the purposes of this subdivision:

(*i*) If the district's or public school academy's membership for pupils counted under section 166b equals or exceeds 5% of the district's or public school academy's membership for pupils not counted in membership under section 166b in the immediately preceding fiscal year, then the growth in the district's or public school academy's membership for pupils counted under section 166b must not exceed 10%.

(*ii*) If the district's or public school academy's membership for pupils counted under section 166b is less than 5% of the district's or public school academy's membership for pupils not counted in membership under section 166b in the immediately preceding fiscal year, then the district's or public school academy's membership for pupils counted under section 166b must not exceed the greater of the following:

(A) 5% of the district's or public school academy's membership for pupils not counted in membership under section 166b.

(B) 10% more than the district's or public school academy's membership for pupils counted under section 166b in the immediately preceding fiscal year.

(*iii*) If 1 or more districts consolidate or are parties to an annexation, then the calculations under subparagraphs (*i*) and (*ii*) must be applied to the combined total membership for pupils counted in those districts for the fiscal year immediately preceding the consolidation or annexation.

(5) "Public school academy" means that term as defined in section 5 of the revised school code, MCL 380.5.

(6) "Pupil" means an individual in membership in a public school. A district must have the approval of the pupil's district of residence to count the pupil in membership, except approval by the pupil's district of residence is not required for any of the following:

(a) A nonpublic part-time pupil enrolled in grades K to 12 in accordance with section 166b.

(b) A pupil receiving 1/2 or less of his or her instruction in a district other than the pupil's district of residence.

(c) A pupil enrolled in a public school academy.

(d) A pupil enrolled in a district other than the pupil's district of residence under an intermediate district schools of choice pilot program as described in section 91a or former section 91 if the intermediate district and its constituent districts have been exempted from section 105.

(e) A pupil enrolled in a district other than the pupil's district of residence if the pupil is enrolled in accordance with section 105 or 105c.

(f) A pupil who has made an official written complaint or whose parent or legal guardian has made an official written complaint to law enforcement officials and to school officials of the pupil's district of residence that the pupil has been the victim of a criminal sexual assault or other serious assault, if the official complaint either indicates that the assault occurred at school or that the assault was committed by 1 or more other pupils enrolled in the school the pupil would otherwise attend in the district of residence or by an employee of the district of residence. A person who intentionally makes a false report of a crime to law enforcement officials for the purposes of this subdivision is subject to section 411a of the Michigan penal code, 1931 PA 328, MCL 750.411a, which provides criminal penalties for that conduct. As used in this subdivision:

(*i*) "At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

(*ii*) "Serious assault" means an act that constitutes a felony violation of chapter XI of the Michigan penal code, 1931 PA 328, MCL 750.81 to 750.90h, or that constitutes an assault and infliction of serious or aggravated injury under section 81a of the Michigan penal code, 1931 PA 328, MCL 750.81a.

(g) A pupil whose district of residence changed after the pupil membership count day and before the supplemental count day and who continues to be enrolled on the supplemental count day as a nonresident in the district in which he or she was enrolled as a resident on the pupil membership count day of the same school year.

(h) A pupil enrolled in an alternative education program operated by a district other than his or her district of residence who meets 1 or more of the following:

(*i*) The pupil has been suspended or expelled from his or her district of residence for any reason, including, but not limited to, a suspension or expulsion under section 1310, 1311, or 1311a of the revised school code, MCL 380.1310, 380.1311, and 380.1311a.

(*ii*) The pupil had previously dropped out of school.

(*iii*) The pupil is pregnant or is a parent.

(*iv*) The pupil has been referred to the program by a court.

(i) A pupil enrolled in the Michigan Virtual School, for the pupil's enrollment in the Michigan Virtual School.

(j) A pupil who is the child of a person who works at the district or who is the child of a person who worked at the district as of the time the pupil first enrolled in the district but who no longer works at the district due to a workforce reduction. As used in this subdivision, "child" includes an adopted child, stepchild, or legal ward.

(k) An expelled pupil who has been denied reinstatement by the expelling district and is reinstated by another school board under section 1311 or 1311a of the revised school code, MCL 380.1311 and 380.1311a.

(*l*) A pupil enrolled in a district other than the pupil's district of residence in a middle college program if the pupil's district of residence and the enrolling district are both constituent districts of the same intermediate district.

(m) A pupil enrolled in a district other than the pupil's district of residence who attends a United States Olympic Education Center.

(n) A pupil enrolled in a district other than the pupil's district of residence under section 1148(2) of the revised school code, MCL 380.1148.

(o) A pupil who enrolls in a district other than the pupil's district of residence as a result of the pupil's school not making adequate yearly progress under the no child left behind act of 2001, Public Law 107-110, or the every student succeeds act, Public Law 114-95.

However, if a district educates pupils who reside in another district and if the primary instructional site for those pupils is established by the educating district after 2009-2010 and is located within the boundaries of that other district, the educating district must have the approval of that other district to count those pupils in membership.

(7) "Pupil membership count day" of a district or intermediate district means:

(a) Except as provided in subdivision (b), the first Wednesday in October each school year or, for a district or building in which school is not in session on that Wednesday due to conditions not within the control of school authorities, with the approval of the superintendent, the immediately following day on which school

is in session in the district or building. A district is considered to be in session for purposes of this subdivision when the district is providing pupil instruction pursuant to an extended COVID-19 learning plan approved under section 98a.

(b) For a district or intermediate district maintaining school during the entire school year, the following days:

(*i*) Fourth Wednesday in July.

(*ii*) First Wednesday in October.

(*iii*) Second Wednesday in February.

(*iv*) Fourth Wednesday in April.

(8) "Pupils in grades K to 12 actually enrolled and in regular daily attendance" means pupils in grades K to 12 in attendance and receiving instruction in all classes for which they are enrolled on the pupil membership count day or the supplemental count day, as applicable. Except as otherwise provided in this subsection, a pupil who is absent from any of the classes in which the pupil is enrolled on the pupil membership count day or supplemental count day and who does not attend each of those classes during the 10 consecutive school days immediately following the pupil membership count day or supplemental count day, except for a pupil who has been excused by the district, is not counted as 1.0 full-time equated membership. A pupil who is excused from attendance on the pupil membership count day or supplemental count day and who fails to attend each of the classes in which the pupil is enrolled within 30 calendar days after the pupil membership count day or supplemental count day is not counted as 1.0 full-time equated membership. In addition, a pupil who was enrolled and in attendance in a district, intermediate district, or public school academy before the pupil membership count day or supplemental count day of a particular year but was expelled or suspended on the pupil membership count day or supplemental count day is only counted as 1.0 full-time equated membership if the pupil resumed attendance in the district, intermediate district, or public school academy within 45 days after the pupil membership count day or supplemental count day of that particular year. A pupil not counted as 1.0 full-time equated membership due to an absence from a class is counted as a prorated membership for the classes the pupil attended. For purposes of this subsection, "class" means a period of time in 1 day when pupils and ~~a certificated teacher, a teacher engaged to teach under section 1233b of the revised school code, MCL 380.1233b, or an individual working under a valid~~ **an individual who is appropriately placed under a valid certificate,** substitute permit, authorization, or approval issued by the department, are together and instruction is taking place.

(9) "Pupils engaged in pandemic learning for fall 2020" means pupils in grades K to 12 who are enrolled in a district, excluding a district that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, or intermediate district and to which any of the following apply:

(a) For a pupil who is not learning sequentially, any of the following occurs for each of the pupil's scheduled courses:

(*i*) The pupil attends a live lesson from the pupil's teacher or at least 1 of the pupil's teachers on 2020-2021 pupil membership count day.

(*ii*) The pupil logs into an online or virtual lesson or lesson activity on 2020-2021 pupil membership count day and the login can be documented by the district or intermediate district.

(*iii*) The pupil and the pupil's teacher or at least 1 of the pupil's teachers engage in a subject-oriented telephone conversation on 2020-2021 pupil membership count day.

(*iv*) The district or intermediate district documents that an electronic mail dialogue occurred between the pupil and the pupil's teacher or at least 1 of the pupil's teachers on 2020-2021 pupil membership count day.

(b) For a pupil who is using sequential learning, any of the following occurs for each of the pupil's scheduled courses:

(*i*) The pupil attends a virtual course where synchronous, live instruction occurs with the pupil's teacher or at least 1 of the pupil's teachers on 2020-2021 pupil membership count day and the attendance is documented by the district or intermediate district.

(*ii*) The pupil completes a course assignment on 2020-2021 pupil membership count day and the completion is documented by the district or intermediate district.

(*iii*) The pupil completes a course lesson or lesson activity on 2020-2021 pupil membership count day and the completion is documented by the district or intermediate district.

(*iv*) The pupil accesses an ongoing lesson that is not a login on 2020-2021 pupil membership count day and the access is documented by the district or intermediate district.

(c) At a minimum, 1 2-way interaction has occurred between the pupil and the pupil's teacher or at least 1 of the pupil's teachers **or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress** during the week on which 2020-2021 pupil membership count day falls and during each week for the 3 consecutive weeks after the week on which 2020-2021 pupil

membership count day falls. A district may utilize 2-way interactions that occur under this subdivision toward meeting the requirement under section 101(3)(h). As used in this subdivision:

(*i*) "2-way interaction" means a communication that occurs between a pupil and the pupil's teacher or at least 1 of the pupil's teachers **or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress**, where 1 party initiates communication and a response from the other party follows that communication, and that is relevant to course progress or course content for at least 1 of the courses in which the pupil is enrolled **or relevant to the pupil's overall academic progress or grade progression**. Responses, as described in this subparagraph, must be to ~~the~~ communication initiated by the teacher, **by another district employee who has responsibility for the pupil's learning, grade progression, or academic progress, or by the pupil,** and not some other action taken. The communication described in this subparagraph may occur through, but is not limited to, any of the following means:

(A) Electronic mail.

(B) Telephone.

(C) Instant messaging.

(D) Face-to-face conversation.

(*ii*) "Week" means a period beginning on Wednesday and ending on the following Tuesday.

(d) The pupil has not participated in or completed an activity as described in subdivision (a), (b), or (c) and the pupil was not excused from participation or completion, but the pupil participates in or completes an activity described in subdivision (a) or (b) during the 10 consecutive school days immediately following the 2020-2021 pupil membership count day.

(e) The pupil has not participated in or completed an activity as described in subdivision (a), (b), or (c) and the pupil was excused from participation or completion, but the pupil participates in or completes an activity described in subdivision (a) or (b) during the 30 calendar days immediately following the 2020-2021 pupil membership count day.

(f) The pupil meets the criteria of pupils in grades K to 12 actually enrolled and in regular daily attendance.

(10) "Rule" means a rule promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(11) "The revised school code" means the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.

(12) "School district of the first class", "first class school district", and "district of the first class" mean, for the purposes of this article only, a district that had at least 40,000 pupils in membership for the immediately preceding fiscal year.

(13) "School fiscal year" means a fiscal year that commences July 1 and continues through June 30.

(14) "State board" means the state board of education.

(15) "Superintendent", unless the context clearly refers to a district or intermediate district superintendent, means the superintendent of public instruction described in section 3 of article VIII of the state constitution of 1963.

(16) "Supplemental count day" means the day on which the supplemental pupil count is conducted under section 6a or the day specified as supplemental count day under section 6a.

(17) "Tuition pupil" means a pupil of school age attending school in a district other than the pupil's district of residence for whom tuition may be charged to the district of residence. Tuition pupil does not include a pupil who is a special education pupil, a pupil described in subsection (6)(c) to (o), or a pupil whose parent or guardian voluntarily enrolls the pupil in a district that is not the pupil's district of residence. A pupil's district of residence shall not require a high school tuition pupil, as provided under section 111, to attend another school district after the pupil has been assigned to a school district.

(18) "State school aid fund" means the state school aid fund established in section 11 of article IX of the state constitution of 1963.

(19) "Taxable value" means the taxable value of property as determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(20) "Textbook" means a book, electronic book, or other instructional print or electronic resource that is selected and approved by the governing board of a district and that contains a presentation of principles of a subject, or that is a literary work relevant to the study of a subject required for the use of classroom pupils, or another type of course material that forms the basis of classroom instruction.

(21) "Total state aid" or "total state school aid", except as otherwise provided in this article, means the total combined amount of all funds due to a district, intermediate district, or other entity under this article.

Sec. 11. (1) For the fiscal year ending September 30, 2020, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of ~~$12,660,530,800.00~~ **$12,829,470,800.00** from the state school aid fund, the sum of ~~$273,600,000.00~~ **$104,660,000.00** from the

general fund, an amount not to exceed $75,900,000.00 from the community district education trust fund created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, an amount not to exceed $9,717,800.00 from the talent investment fund created under section 8a of the higher education loan authority act, 1975 PA 222, MCL 390.1158a, an amount not to exceed $31,900,000.00 from the MPSERS retirement obligation reform reserve fund, and an amount not to exceed $100.00 from the water emergency reserve fund. **For the fiscal year ending September 30, 2021, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of $13,589,621,600.00 from the state school aid fund, the sum of $50,964,700.00 from the general fund, an amount not to exceed $77,700,000.00 from the community district education trust fund created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, and an amount not to exceed $100.00 from the water emergency reserve fund.** In addition, all available federal funds are appropriated for the fiscal ~~year~~ **years** ending September 30, 2020 **and September 30, 2021**.

(2) The appropriations under this section are allocated as provided in this article. Money appropriated under this section from the general fund must be expended to fund the purposes of this article before the expenditure of money appropriated under this section from the state school aid fund.

(3) Any general fund allocations under this article that are not expended by the end of the fiscal year are transferred to the school aid stabilization fund created under section 11a.

Sec. 11a. (1) The school aid stabilization fund is created as a separate account within the state school aid fund.

(2) The state treasurer may receive money or other assets from any source for deposit into the school aid stabilization fund. The state treasurer shall deposit into the school aid stabilization fund all of the following:

(a) Unexpended and unencumbered state school aid fund revenue for a fiscal year that remains in the state school aid fund as of the bookclosing for that fiscal year.

(b) Money statutorily dedicated to the school aid stabilization fund.

(c) Money appropriated to the school aid stabilization fund.

(3) Money available in the school aid stabilization fund may not be expended without a specific appropriation from the school aid stabilization fund. Money in the school aid stabilization fund must be expended only for purposes for which state school aid fund money may be expended.

(4) The state treasurer shall direct the investment of the school aid stabilization fund. The state treasurer shall credit to the school aid stabilization fund interest and earnings from fund investments.

(5) Money in the school aid stabilization fund at the close of a fiscal year remains in the school aid stabilization fund and does not lapse to the unreserved school aid fund balance or the general fund.

(6) If the maximum amount appropriated under section 11 from the state school aid fund for a fiscal year exceeds the amount available for expenditure from the state school aid fund for that fiscal year, there is appropriated from the school aid stabilization fund to the state school aid fund an amount equal to the projected shortfall as determined by the department of treasury, but not to exceed available money in the school aid stabilization fund. If the money in the school aid stabilization fund is insufficient to fully fund an amount equal to the projected shortfall, the state budget director shall notify the legislature as required under section 296(2) and state payments in an amount equal to the remainder of the projected shortfall must be prorated in the manner provided under section 296(3).

(7) For ~~2019-2020,~~ **2020-2021,** in addition to the appropriations in section 11, there is appropriated from the school aid stabilization fund to the state school aid fund the amount necessary to fully fund the allocations under this article.

Sec. 11d. (1) For 2019-2020, the department shall deduct an amount equal to $175.00 per membership pupil from each district's total state school aid. A district may choose to apply this reduction to funding the district receives under any provision of this act, other than sections 11j, 22a, 26a, 26b, 26c, 31d, 31f, 51a(2), 51a(11), 51c, 53a, 147c, 147e(2)(a), and 152a, even if the reduction chosen by the district results in a program being reduced or discontinued.

(2) If the department, after applying the deduction calculated in subsection (1), determines that this state has overpaid the amount of total state school aid to a district, the department shall establish as a receivable the amount of overpayment and shall recoup the amount from the district in subsequent monthly apportionments of total state school aid. The full amount of overpayment must be recouped within 1 fiscal year.

(3) If a district has pledged remaining total state school aid for 2019-2020 for the fulfillment of requirements related to the repayment of state aid anticipation notes or the equivalent loan instrument not offered by this state, and if the district presents evidence satisfactory to the department that the deduction calculated in subsection (1) would cause hardship for the district in fulfilling its pledged loan repayment requirements, the department shall establish as a receivable in the current fiscal year the amount of the

deduction calculated in subsection (1) and shall recoup the amount from the district in subsequent monthly apportionments of total state school aid. The full amount of the deduction calculated in subsection (1) must be recouped within 1 fiscal year.

(4) From the state school aid fund money appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $95,000,000.00 to provide payments to districts as provided under this subsection. The amount of a payment under this subsection to each district must be equal to the district's 50/50 blended membership multiplied by the quotient of $95,000,000.00 divided by the statewide sum of each district's 50/50 blended membership. As used in this subsection, "50/50 blended membership" means the sum of the product of .5 times the district's 2019-2020 membership as calculated under section 6(4) in 2019-2020 and the product of .5 times [the sum of (the product of .90 times the number of full-time equated pupils engaged in pandemic learning for fall 2020 or, for a district that is a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district on pupil membership count day for the current school year) and (the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district for the immediately preceding school year)].

(5) ~~(4)~~ As used in this section, "total state school aid" means the total combined amount of all state funds allocated to a district under this act, except for funds allocated to a district under sections 11j, 22a, 26a, 26b, 26c, 31d, 31f, 51a(2), 51a(11), 51c, 53a, 147c, 147e(2)(a), and 152a.

Sec. 11j. From the appropriation in section 11, there is allocated an amount not to exceed $111,000,000.00 for ~~2019-2020~~ **2020-2021** for payments to the school loan bond redemption fund in the department of treasury on behalf of districts and intermediate districts. Notwithstanding section 296 or any other provision of this act, funds allocated under this section are not subject to proration and must be paid in full.

Sec. 11k. For ~~2019-2020,~~ **2020-2021,** there is appropriated from the general fund to the school loan revolving fund an amount equal to the amount of school bond loans assigned to the Michigan finance authority, not to exceed the total amount of school bond loans held in reserve as long-term assets. As used in this section, "school loan revolving fund" means that fund created in section 16c of the shared credit rating act, 1985 PA 227, MCL 141.1066c.

Sec. 11m. From the appropriation in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed ~~$7,000,000.00~~ **$11,400,000.00** for fiscal year cash-flow borrowing costs solely related to the state school aid fund established ~~by~~ **under** section 11 of article IX of the state constitution of 1963.

Sec. 11p. (1) From the federal funds appropriated under section 11, for 2019-2020 only, there is allocated an amount not to exceed $512,000,000.00 from the federal funding awarded to this state from the coronavirus relief fund under the coronavirus aid, relief, and economic security act, Public Law 116-136.

(2) From the funds allocated under this section, the department shall pay to each district an amount equal to $350.00 for each pupil in membership for 2019-2020 only.

(3) A district receiving funds under this section must comply with all requirements corresponding to the receipt of funds under the coronavirus aid, relief, and economic security act, Public Law 116-136, and 2 CFR part 200, as applicable, including, but not limited to, any certifications, assurances, and accountability and transparency provisions. The department may require any documentation necessary to ensure compliance with federal requirements.

(4) A district receiving funds under this section must, to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus.

(5) ~~(4)~~ Any funds received under this act and expended by a district in any manner that does not adhere to the coronavirus aid, relief, and economic security act, Public Law 116-136, or 2 CFR part 200, as applicable, must be returned to this state. If it is determined that a district receiving funds under this act ~~expends~~ **expended** any funds received under this act for a purpose that is not consistent with the requirements of the coronavirus aid, relief, and economic security act, Public Law 116-136, or 2 CFR part 200, as applicable, the state budget director is authorized to withhold payment of state funds, in part or in whole, payable to that district from any state appropriation under this act.

(6) ~~(5)~~ The allocation in this section from the federal funding awarded to this state from the coronavirus relief fund under the coronavirus aid, relief, and economic security act, Public Law 116-136, reduces to $0.00 the coronavirus relief fund appropriations authorized in the same amount and for the same purpose under section 302 of 2020 PA 67.

Sec. 11s. (1) From the state school aid fund money appropriated in section 11, there is allocated ~~$8,075,000.00~~ **$5,000,000.00** for ~~2019-2020~~ **2020-2021 and from the general fund money appropriated**

in section 11, there is allocated $3,075,000.00 for 2020-2021 for the purpose of providing services and programs to children who reside within the boundaries of a district with the majority of its territory located within the boundaries of a city for which an executive proclamation of emergency **concerning drinking water** is issued in the current or immediately preceding ~~3~~ **5** fiscal years under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. From the funding appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** $100.00 from the water emergency reserve fund for the purposes of this section.

(2) From the ~~allocation~~ **general fund money allocated** in subsection (1), there is allocated to a district with the majority of its territory located within the boundaries of a city in which an executive proclamation of emergency is issued in the current or immediately preceding ~~4~~ **5** fiscal years and that has at least 4,500 pupils in membership for the 2016-2017 fiscal year or has at least ~~4,000~~ **3,000** pupils in membership for a fiscal year after 2016-2017, an amount not to exceed $2,425,000.00 for ~~2019-2020~~ **2020-2021** for the purpose of employing school nurses, classroom aides, and school social workers. The district shall provide a report to the department in a form, manner, and frequency prescribed by the department. The department shall provide a copy of that report to the governor, the house and senate school aid subcommittees, the house and senate fiscal agencies, and the state budget director within 5 days after receipt. The report must provide at least the following information:

(a) How many personnel were hired using the funds allocated under this subsection.

(b) A description of the services provided to pupils by those personnel.

(c) How many pupils received each type of service identified in subdivision (b).

(d) Any other information the department considers necessary to ensure that the children described in subsection (1) received appropriate levels and types of services.

(3) For ~~2019-2020 only,~~ **2020-2021 only,** from the ~~allocation~~ **state school aid fund money allocated** in subsection (1), there is allocated an amount not to exceed ~~$4,000,000.00~~ **$2,400,000.00** to an intermediate district that has a constituent district described in subsection (2) to provide state early intervention services for children described in subsection (1) who are between age 3 and age 5. The intermediate district shall use these funds to provide state early intervention services that are similar to the services described in the early on Michigan state plan, including ensuring that all children described in subsection (1) who are less than 4 years of age as of September 1, 2016 are assessed and evaluated at least twice annually.

(4) From the ~~allocation~~ **state school aid fund money allocated** in subsection (1), there is allocated an amount not to exceed $1,000,000.00 for ~~2019-2020~~ **2020-2021** to the intermediate district described in subsection (3) to enroll children described in subsection (1) in school-day great start readiness programs, regardless of household income eligibility requirements contained in section 32d. The department shall administer this funding consistent with all other provisions that apply to great start readiness programs under sections 32d and 39.

(5) For ~~2019-2020,~~ **2020-2021,** from the ~~allocation~~ **general fund money allocated** in subsection (1), there is allocated an amount not to exceed $650,000.00 for nutritional services to children described in subsection (1).

(6) For 2020-2021, from the state school aid fund money allocated in subsection (1), there is allocated an amount not to exceed $1,600,000.00 to the intermediate district described in subsection (3) for interventions and supports for students in K to 12 who were impacted by an executive proclamation of emergency described in subsection (1) concerning drinking water. Funds under this subsection must be used for behavioral supports, social workers, counselors, psychologists, nursing services, including, but not limited to, vision and hearing services, transportation services, parental engagement, community coordination, and other support services.

(7) ~~(6)~~ In addition to other funding allocated and appropriated in this section, there is appropriated an amount not to exceed $5,000,000.00 for ~~2019-2020~~ **2020-2021** for state restricted contingency funds. These contingency funds are not available for expenditure until they have been transferred to a section within this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(8) ~~(7)~~ Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 15. (1) If a district or intermediate district fails to receive its proper apportionment, the department, upon satisfactory proof that the district or intermediate district was entitled justly, shall apportion the deficiency in the next apportionment. Subject to subsections (2) and (3), if a district or intermediate district has received more than its proper apportionment, the department, upon satisfactory proof, shall deduct the excess in the next apportionment. Notwithstanding any other provision in this article, state aid overpayments to a district, other than overpayments in payments for special education or special education transportation, may be recovered from any payment made under this article other than a special education or special education transportation payment, from the proceeds of a loan to the district under the emergency municipal

loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds of millage levied or pledged under section 1211 of the revised school code, MCL 380.1211. State aid overpayments made in special education or special education transportation payments may be recovered from subsequent special education or special education transportation payments, from the proceeds of a loan to the district under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds of millage levied or pledged under section 1211 of the revised school code, MCL 380.1211.

(2) If the result of an audit conducted by or for the department affects the current fiscal year membership, the department shall adjust affected payments in the current fiscal year. A deduction due to an adjustment made as a result of an audit conducted by or for the department, or as a result of information obtained by the department from the district, an intermediate district, the department of treasury, or the office of auditor general, must be deducted from the district's apportionments when the adjustment is finalized. At the request of the district and upon the district presenting evidence satisfactory to the department of the hardship, the department may grant up to an additional 4 years for the adjustment and may advance payments to the district otherwise authorized under this article if the district would otherwise experience a significant hardship in satisfying its financial obligations. However, a district that ~~has~~ presented satisfactory evidence of hardship and ~~is~~ **was** undergoing an extended adjustment during 2018-2019 may continue to use the period of extended adjustment as originally granted by the department.

(3) If, based on an audit by the department or the department's designee or because of new or updated information received by the department, the department determines that the amount paid to a district or intermediate district under this article for the current fiscal year or a prior fiscal year was incorrect, the department shall make the appropriate deduction or payment in the district's or intermediate district's allocation in the next apportionment after the adjustment is finalized. The department shall calculate the deduction or payment according to the law in effect in the fiscal year in which the incorrect amount was paid. If the district does not receive an allocation for the fiscal year or if the allocation is not sufficient to pay the amount of any deduction, the amount of any deduction otherwise applicable must be satisfied from the proceeds of a loan to the district under the emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942, or from the proceeds of millage levied or pledged under section 1211 of the revised school code, MCL 380.1211, as determined by the department.

(4) If the department makes an adjustment under this section based in whole or in part on a membership audit finding that a district or intermediate district employed an educator in violation of certification requirements under the revised school code and rules promulgated by the department, the department shall prorate the adjustment according to the period of noncompliance with the certification requirements.

(5) The department may conduct audits, or may direct audits by designee of the department, for the current fiscal year and the immediately preceding fiscal year of all records related to a program for which a district or intermediate district has received funds under this article.

(6) Expenditures made by the department under this article that are caused by the write-off of prior year accruals may be funded by revenue from the write-off of prior year accruals.

(7) In addition to funds appropriated in section 11 for all programs and services, there is appropriated for ~~2019-2020~~ **2020-2021** for obligations in excess of applicable appropriations an amount equal to the collection of overpayments, but not to exceed amounts available from overpayments.

Sec. 17c. (1) Except as otherwise provided under this article, the department shall do both of the following for funds appropriated under this article for grants distributed by the department to districts, intermediate districts, and eligible entities:

(a) ~~Not later than September 1 of each fiscal year, open the grant application for funds appropriated for the subsequent fiscal year.~~ **Open the grant application for funds appropriated for the immediately succeeding fiscal year by not later than September 1 of the current fiscal year or 30 calendar days after the state school aid budget for the immediately succeeding fiscal year is enacted into law, whichever occurs later.** The department shall also provide to districts, intermediate districts, and eligible entities, and post on its publicly accessible website, the grant application and award process schedule and the list of state grants and contracts available in the ~~subsequent~~ **immediately succeeding** fiscal year.

(b) ~~Not later than December 1 of each fiscal year, publish grant awards for funds appropriated in that fiscal year.~~**Publish grant awards for funds appropriated in the current fiscal year by not later than December 1 of the current fiscal year.**

(2) ~~Information for grants awarded from funds appropriated under this article must be placed on the state board agenda in August of the preceding fiscal year. However, this subsection does not apply to grants awarded, directly or indirectly, from federal funds or federal grants.~~**Information for grants awarded from funds appropriated under this article for the immediately succeeding fiscal year must be placed on the state board agenda in August of the current fiscal year or in the month immediately following the**

month in which the state school aid budget for the immediately succeeding fiscal year is enacted into law, whichever occurs later.

Sec. 18. (1) Except as provided in another section of this article, each district or other entity shall apply the money received by the district or entity under this article to salaries and other compensation of teachers and other employees, tuition, transportation, lighting, heating, ventilation, water service, the purchase of textbooks, other supplies, and any other school operating expenditures defined in section 7. However, not more than 20% of the total amount received by a district under sections 22a and 22b or received by an intermediate district under section 81 may be transferred by the board to either the capital projects fund or to the debt retirement fund for debt service. A district or other entity shall not apply or take the money for a purpose other than as provided in this section. The department shall determine the reasonableness of expenditures and may withhold from a recipient of funds under this article the apportionment otherwise due upon a violation by the recipient. **A district must not be prohibited or limited from using funds appropriated or allocated under this article that are permitted for use for noninstructional services to contract or subcontract with an intermediate district, third party, or vendor for the noninstructional services.**

(2) A district or intermediate district shall adopt an annual budget in a manner that complies with the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a. Within 15 days after a district board adopts its annual operating budget for the following school fiscal year, or after a district board adopts a subsequent revision to that budget, the district shall make all of the following available through a link on its website homepage, or may make the information available through a link on its intermediate district's website homepage, in a form and manner prescribed by the department:

(a) The annual operating budget and subsequent budget revisions.

(b) Using data that have already been collected and submitted to the department, a summary of district expenditures for the most recent fiscal year for which they are available, expressed in the following 2 visual displays:

(*i*) A chart of personnel expenditures, broken into the following subcategories:

(A) Salaries and wages.

(B) Employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits.

(C) Retirement benefit costs.

(D) All other personnel costs.

(*ii*) A chart of all district expenditures, broken into the following subcategories:

(A) Instruction.

(B) Support services.

(C) Business and administration.

(D) Operations and maintenance.

(c) Links to all of the following:

(*i*) The current collective bargaining agreement for each bargaining unit.

(*ii*) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the district.

(*iii*) The audit report of the audit conducted under subsection (4) for the most recent fiscal year for which it is available.

(*iv*) The bids required under section 5 of the public employees health benefit act, 2007 PA 106, MCL 124.75.

(*v*) The district's written policy governing procurement of supplies, materials, and equipment.

(*vi*) The district's written policy establishing specific categories of reimbursable expenses, as described in section 1254(2) of the revised school code, MCL 380.1254.

(*vii*) Either the district's accounts payable check register for the most recent school fiscal year or a statement of the total amount of expenses incurred by board members or employees of the district that were reimbursed by the district for the most recent school fiscal year.

(d) The total salary and a description and cost of each fringe benefit included in the compensation package for the superintendent of the district and for each employee of the district whose salary exceeds $100,000.00.

(e) The annual amount spent on dues paid to associations.

(f) The annual amount spent on lobbying or lobbying services. As used in this subdivision, "lobbying" means that term as defined in section 5 of 1978 PA 472, MCL 4.415.

(g) Any deficit elimination plan or enhanced deficit elimination plan the district was required to submit under the revised school code.

(h) Identification of all credit cards maintained by the district as district credit cards, the identity of all individuals authorized to use each of those credit cards, the credit limit on each credit card, and the dollar limit, if any, for each individual's authorized use of the credit card.

(i) Costs incurred for each instance of out-of-state travel by the school administrator of the district that is fully or partially paid for by the district and the details of each of those instances of out-of-state travel, including at least identification of each individual on the trip, destination, and purpose.

(3) For the information required under subsection (2)(a), (2)(b)(*i*), and (2)(c), an intermediate district shall provide the same information in the same manner as required for a district under subsection (2).

(4) For the purposes of determining the reasonableness of expenditures, whether a district or intermediate district has received the proper amount of funds under this article, and whether a violation of this article has occurred, all of the following apply:

(a) The department shall require that each district and intermediate district have an audit of the district's or intermediate district's financial and pupil accounting records conducted at least annually, and at such other times as determined by the department, at the expense of the district or intermediate district, as applicable. The audits must be performed by a certified public accountant or by the intermediate district superintendent, as may be required by the department, or in the case of a district of the first class by a certified public accountant, the intermediate superintendent, or the auditor general of the city. A district or intermediate district shall retain these records for the current fiscal year and from at least the 3 immediately preceding fiscal years.

(b) If a district operates in a single building with fewer than 700 full-time equated pupils, if the district has stable membership, and if the error rate of the immediately preceding 2 pupil accounting field audits of the district is less than 2%, the district may have a pupil accounting field audit conducted biennially but must continue to have desk audits for each pupil count. The auditor must document compliance with the audit cycle in the pupil auditing manual. As used in this subdivision, "stable membership" means that the district's membership for the current fiscal year varies from the district's membership for the immediately preceding fiscal year by less than 5%.

(c) A district's or intermediate district's annual financial audit must include an analysis of the financial and pupil accounting data used as the basis for distribution of state school aid.

(d) The pupil and financial accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the department.

(e) All of the following ~~shall~~ **must** be done not later than November 1 each year for reporting the prior fiscal year data, but, for 2020-2021 only, not later than December 1 for reporting the 2019-2020 data:

(*i*) A district shall file the annual financial audit reports with the intermediate district and the department.

(*ii*) The intermediate district shall file the annual financial audit reports for the intermediate district with the department.

(*iii*) The intermediate district shall enter the pupil membership audit reports for its constituent districts and for the intermediate district, for the pupil membership count day and supplemental count day, in the Michigan student data system.

(f) The annual financial audit reports and pupil accounting procedures reports must be available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(g) Not later than January 31 of each year, the department shall notify the state budget director and the legislative appropriations subcommittees responsible for review of the school aid budget of districts and intermediate districts that have not filed an annual financial audit and pupil accounting procedures report required under this section for the school year ending in the immediately preceding fiscal year.

(5) By **the first business day in** November ~~1~~ **of** each fiscal year**, but, for submission of the 2019-2020 annual comprehensive financial data described in this subsection, by the first business day in December**, each district and intermediate district shall submit to the center, in a manner prescribed by the center, annual comprehensive financial data consistent with the district's or intermediate district's audited financial statements and consistent with accounting manuals and charts of accounts approved and published by the department. For an intermediate district, the report must also contain the website address where the department can access the report required under section 620 of the revised school code, MCL 380.620. The department shall ensure that the prescribed Michigan public school accounting manual chart of accounts includes standard conventions to distinguish expenditures by allowable fund function and object. The functions must include at minimum categories for instruction, pupil support, instructional staff support, general administration, school administration, business administration, transportation, facilities operation and maintenance, facilities acquisition, and debt service; and must include object classifications of salary, benefits, including categories for active employee health expenditures, purchased services, supplies, capital outlay, and other. A district shall report the required level of detail consistent with the manual as part of the comprehensive annual financial report.

(6) By **the last business day in** September ~~30~~ of each year, each district and intermediate district shall file with the center the special education actual cost report, known as "SE-4096", on a form and in the manner prescribed by the center. An intermediate district shall certify the audit of a district's report.

(7) By ~~October 7~~ **not later than 1 week after the last business day in September** of each year, each district and intermediate district shall file with the center the audited transportation expenditure report, known as "SE-4094", on a form and in the manner prescribed by the center. An intermediate district shall certify the audit of a district's report.

(8) The department shall review its pupil accounting and pupil auditing manuals at least annually and shall periodically update those manuals to reflect changes in this article.

(9) If a district that is a public school academy purchases property using money received under this article, the public school academy shall retain ownership of the property unless the public school academy sells the property at fair market value.

(10) If a district or intermediate district does not comply with subsections (4), (5), (6), (7), and (12), or if the department determines that the financial data required under subsection (5) are not consistent with audited financial statements, the department shall withhold all state school aid due to the district or intermediate district under this article, beginning with the next payment due to the district or intermediate district, until the district or intermediate district complies with subsections (4), (5), (6), (7), and (12). If the district or intermediate district does not comply with subsections (4), (5), (6), (7), and (12) by the end of the fiscal year, the district or intermediate district forfeits the amount withheld.

(11) If a district or intermediate district does not comply with subsection (2), the department may withhold up to 10% of the total state school aid due to the district or intermediate district under this article, beginning with the next payment due to the district or intermediate district, until the district or intermediate district complies with subsection (2). If the district or intermediate district does not comply with subsection (2) by the end of the fiscal year, the district or intermediate district forfeits the amount withheld.

(12) By November 1 of each year, if a district or intermediate district offers virtual learning under section 21f, or for a school of excellence that is a cyber school, as defined in section 551 of the revised school code, MCL 380.551, the district or intermediate district shall submit to the department a report that details the per-pupil costs of operating the virtual learning by vendor type and virtual learning model. The report must include information concerning the operation of virtual learning for the immediately preceding school fiscal year, including information concerning summer programming. Information must be collected in a form and manner determined by the department and must be collected in the most efficient manner possible to reduce the administrative burden on reporting entities.

(13) By March 31 of each year, the department shall submit to the house and senate appropriations subcommittees on state school aid, the state budget director, and the house and senate fiscal agencies a report summarizing the per-pupil costs by vendor type of virtual courses available under section 21f and virtual courses provided by a school of excellence that is a cyber school, as defined in section 551 of the revised school code, MCL 380.551.

(14) As used in subsections (12) and (13), "vendor type" means the following:

(a) Virtual courses provided by the Michigan Virtual University.

(b) Virtual courses provided by a school of excellence that is a cyber school, as defined in section 551 of the revised school code, MCL 380.551.

(c) Virtual courses provided by third party vendors not affiliated with a Michigan public school.

(d) Virtual courses created and offered by a district or intermediate district.

(15) An allocation to a district or another entity under this article is contingent upon the district's or entity's compliance with this section.

(16) Beginning October 1, 2020, and annually thereafter, the department shall submit to the senate and house subcommittees on state school aid and to the senate and house standing committees on education an itemized list of allocations under this article to any association or consortium consisting of associations in the immediately preceding fiscal year. The report must detail the recipient or recipients, the amount allocated, and the purpose for which the funds were distributed.

Sec. 18a. ~~Grant~~ **Except as otherwise provided in this article, grant** funds awarded and allotted to a district, intermediate district, or other entity, unless otherwise specified in this article, ~~shall~~ **must** be expended by the grant recipient before the end of the fiscal year immediately following the fiscal year in which the funds are received. ~~If~~ **Except as otherwise provided in this article, if** a grant recipient does not expend the funds received under this article before the end of the fiscal year in which the funds are received, the grant recipient shall submit a report to the department not later than November 1 after the fiscal year in which the funds are received indicating whether it expects to expend those funds during the fiscal year in which the report is submitted. ~~A~~ **Except as otherwise provided in this article, a** recipient of a grant shall return any unexpended grant funds to the department in the manner prescribed by the department not later than September 30 after the fiscal year in which the funds are received.

Sec. 20. (1) For ~~2019-2020,~~ **2020-2021,** both of the following apply:

(a) The target foundation allowance ~~, formerly known as the basic foundation allowance,~~ is $8,529.00.

(b) The minimum foundation allowance is $8,111.00.

(2) The department shall calculate the amount of each district's foundation allowance as provided in this section, using a target foundation allowance in the amount specified in subsection (1). ~~For the purpose of these calculations, a reference to the target foundation allowance for a preceding fiscal year is equivalent to a reference to the "basic" foundation allowance for that fiscal year.~~

(3) Except as otherwise provided in this section, the department shall calculate the amount of a district's foundation allowance as follows, using in all calculations the total amount of the district's foundation allowance as calculated before any proration:

(a) Except as otherwise provided in this subdivision, for a district that had a foundation allowance for the immediately preceding fiscal year that was at least equal to the minimum foundation allowance for the immediately preceding fiscal year, but less than the target foundation allowance for the immediately preceding fiscal year, the district receives a foundation allowance in an amount equal to the sum of the district's foundation allowance for the immediately preceding fiscal year plus the difference between twice the dollar amount of the adjustment from the immediately preceding fiscal year to the current fiscal year made in the target foundation allowance and [(the difference between the target foundation allowance for the current fiscal year and target foundation allowance for the immediately preceding fiscal year minus $40.00) times (the difference between the district's foundation allowance for the immediately preceding fiscal year and the minimum foundation allowance for the immediately preceding fiscal year) divided by the difference between the target foundation allowance for the current fiscal year and the minimum foundation allowance for the immediately preceding fiscal year.] However, the foundation allowance for a district that had less than the target foundation allowance for the immediately preceding fiscal year must not exceed the target foundation allowance for the current fiscal year.

(b) Except as otherwise provided in this subsection, for a district that in the immediately preceding fiscal year had a foundation allowance in an amount equal to the amount of the target foundation allowance for the immediately preceding fiscal year, the district receives a foundation allowance for ~~2019-2020~~ **2020-2021** in an amount equal to the target foundation allowance for ~~2019-2020.~~**2020-2021.**

(c) For a district that had a foundation allowance for the immediately preceding fiscal year that was greater than the target foundation allowance for the immediately preceding fiscal year, the district's foundation allowance is an amount equal to the sum of the district's foundation allowance for the immediately preceding fiscal year plus the lesser of the increase in the target foundation allowance for the current fiscal year, as compared to the immediately preceding fiscal year, or the product of the district's foundation allowance for the immediately preceding fiscal year times the percentage increase in the United States Consumer Price Index in the calendar year ending in the immediately preceding fiscal year as reported by the May revenue estimating conference conducted under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b.

(d) For a district that has a foundation allowance that is not a whole dollar amount, the department shall round the district's foundation allowance up to the nearest whole dollar.

(4) Except as otherwise provided in this subsection, beginning in 2014-2015, the state portion of a district's foundation allowance is an amount equal to the district's foundation allowance or the target foundation allowance for the current fiscal year, whichever is less, minus the local portion of the district's foundation allowance. For a district described in subsection (3)(c), beginning in 2014-2015, the state portion of the district's foundation allowance is an amount equal to $6,962.00 plus the difference between the district's foundation allowance for the current fiscal year and the district's foundation allowance for 1998-99, minus the local portion of the district's foundation allowance. For a district that has a millage reduction required under section 31 of article IX of the state constitution of 1963, the department shall calculate the state portion of the district's foundation allowance as if that reduction did not occur. For a receiving district, if school operating taxes continue to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, the taxable value per membership pupil of property in the receiving district used for the purposes of this subsection does not include the taxable value of property within the geographic area of the dissolved district. For a community district, if school operating taxes continue to be levied by a qualifying school district under section 12b of the revised school code, MCL 380.12b, with the same geographic area as the community district, the taxable value per membership pupil of property in the community district to be used for the purposes of this subsection does not include the taxable value of property within the geographic area of the community district.

(5) The allocation calculated under this section for a pupil is based on the foundation allowance of the pupil's district of residence. For a pupil enrolled pursuant to section 105 or 105c in a district other than the pupil's district of residence, the allocation calculated under this section is based on the lesser of the

foundation allowance of the pupil's district of residence or the foundation allowance of the educating district. For a pupil in membership in a K-5, K-6, or K-8 district who is enrolled in another district in a grade not offered by the pupil's district of residence, the allocation calculated under this section is based on the foundation allowance of the educating district if the educating district's foundation allowance is greater than the foundation allowance of the pupil's district of residence.

(6) Except as otherwise provided in this subsection, for pupils in membership, other than special education pupils, in a public school academy, the allocation calculated under this section is an amount per membership pupil other than special education pupils in the public school academy equal to the minimum foundation allowance specified in subsection (1). Notwithstanding section 101, for a public school academy that begins operations after the pupil membership count day, the amount per membership pupil calculated under this subsection must be adjusted by multiplying that amount per membership pupil by the number of hours of pupil instruction provided by the public school academy after it begins operations, as determined by the department, divided by the minimum number of hours of pupil instruction required under section 101(3). The result of this calculation must not exceed the amount per membership pupil otherwise calculated under this subsection.

(7) Except as otherwise provided in this subsection, for pupils in membership, other than special education pupils, in a community district, the allocation calculated under this section is an amount per membership pupil other than special education pupils in the community district equal to the foundation allowance of the qualifying school district, as described in section 12b of the revised school code, MCL 380.12b, that is located within the same geographic area as the community district.

(8) Subject to subsection (4), for a district that is formed or reconfigured after June 1, 2002 by consolidation of 2 or more districts or by annexation, the resulting district's foundation allowance under this section beginning after the effective date of the consolidation or annexation is the lesser of the sum of the average of the foundation allowances of each of the original or affected districts, calculated as provided in this section, weighted as to the percentage of pupils in total membership in the resulting district who reside in the geographic area of each of the original or affected districts plus $100.00 or the highest foundation allowance among the original or affected districts. This subsection does not apply to a receiving district unless there is a subsequent consolidation or annexation that affects the district.

(9) The department shall round each fraction used in making calculations under this section to the fourth decimal place and shall round the dollar amount of an increase in the target foundation allowance to the nearest whole dollar.

(10) State payments related to payment of the foundation allowance for a special education pupil are not calculated under this section but are instead calculated under section 51a.

(11) To assist the legislature in determining the target foundation allowance for the subsequent fiscal year, each revenue estimating conference conducted under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b, must calculate a pupil membership factor, a revenue adjustment factor, and an index as follows:

(a) The pupil membership factor is computed by dividing the estimated membership in the school year ending in the current fiscal year, excluding intermediate district membership, by the estimated membership for the school year ending in the subsequent fiscal year, excluding intermediate district membership. If a consensus membership factor is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(b) The revenue adjustment factor is computed by dividing the sum of the estimated total state school aid fund revenue for the subsequent fiscal year plus the estimated total state school aid fund revenue for the current fiscal year, adjusted for any change in the rate or base of a tax the proceeds of which are deposited in that fund and excluding money transferred into that fund from the countercyclical budget and economic stabilization fund under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, by the sum of the estimated total school aid fund revenue for the current fiscal year plus the estimated total state school aid fund revenue for the immediately preceding fiscal year, adjusted for any change in the rate or base of a tax the proceeds of which are deposited in that fund. If a consensus revenue factor is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for state school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(c) The index is calculated by multiplying the pupil membership factor by the revenue adjustment factor. If a consensus index is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for state school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(12) Payments to districts and public school academies are not made under this section. Rather, the calculations under this section are used to determine the amount of state payments under section 22b.

(13) If an amendment to section 2 of article VIII of the state constitution of 1963 allowing state aid to some or all nonpublic schools is approved by the voters of this state, each foundation allowance or per-pupil payment calculation under this section may be reduced.

~~(14) For the purposes of section 1211 of the revised school code, MCL 380.1211, the basic foundation allowance under this section is considered to be the target foundation allowance under this section.~~

(14) ~~(15)~~ As used in this section:

(a) "Certified mills" means the lesser of 18 mills or the number of mills of school operating taxes levied by the district in 1993-94.

(b) "Combined state and local revenue" means the aggregate of the district's state school aid received by or paid on behalf of the district under this section and the district's local school operating revenue.

(c) "Combined state and local revenue per membership pupil" means the district's combined state and local revenue divided by the district's membership excluding special education pupils.

(d) "Current fiscal year" means the fiscal year for which a particular calculation is made.

(e) "Dissolved district" means a district that loses its organization, has its territory attached to 1 or more other districts, and is dissolved as provided under section 12 of the revised school code, MCL 380.12.

(f) "Immediately preceding fiscal year" means the fiscal year immediately preceding the current fiscal year.

(g) "Local portion of the district's foundation allowance" means an amount that is equal to the difference between (the sum of the product of the taxable value per membership pupil of all property in the district that is nonexempt property times the district's certified mills and, for a district with certified mills exceeding 12, the product of the taxable value per membership pupil of property in the district that is commercial personal property times the certified mills minus 12 mills) and (the quotient of the product of the captured assessed valuation under tax increment financing acts times the district's certified mills divided by the district's membership excluding special education pupils).

(h) "Local school operating revenue" means school operating taxes levied under section 1211 of the revised school code, MCL 380.1211. For a receiving district, if school operating taxes are to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, local school operating revenue does not include school operating taxes levied within the geographic area of the dissolved district.

(i) "Local school operating revenue per membership pupil" means a district's local school operating revenue divided by the district's membership excluding special education pupils.

(j) "Membership" means the definition of that term under section 6 as in effect for the particular fiscal year for which a particular calculation is made.

(k) "Nonexempt property" means property that is not a principal residence, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, commercial personal property, or property occupied by a public school academy.

(*l*) "Principal residence", "qualified agricultural property", "qualified forest property", "supportive housing property", "industrial personal property", and "commercial personal property" mean those terms as defined in section 1211 of the revised school code, MCL 380.1211.

(m) "Receiving district" means a district to which all or part of the territory of a dissolved district is attached under section 12 of the revised school code, MCL 380.12.

(n) "School operating purposes" means the purposes included in the operation costs of the district as prescribed in sections 7 and 18 and purposes authorized under section 1211 of the revised school code, MCL 380.1211.

(o) "School operating taxes" means local ad valorem property taxes levied under section 1211 of the revised school code, MCL 380.1211, and retained for school operating purposes.

~~(p) "Target foundation allowance for the immediately preceding fiscal year" means, for 2019-2020 only, the basic foundation allowance in effect for the 2018-2019 fiscal year.~~

(p) ~~(q)~~ "Tax increment financing acts" means parts 2, 3, 4, and 6 of the recodified tax increment financing act, 2018 PA 57, MCL 125.4201 to 125.4420 and 125.4602 to 125.4629, or the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.

(q) ~~(r)~~ "Taxable value per membership pupil" means taxable value, as certified by the county treasurer and reported to the department, for the calendar year ending in the current state fiscal year divided by the district's membership excluding special education pupils for the school year ending in the current state fiscal year.

Sec. 20d. In making the final determination required under former section 20a of a district's combined state and local revenue per membership pupil in 1993-94 and in making calculations under section 20 for ~~2019-2020,~~ **2020-2021,** the department and the department of treasury shall comply with all of the following:

(a) For a district that had combined state and local revenue per membership pupil in the 1994-95 fiscal year of $6,500.00 or more and served as a fiscal agent for a state board designated area vocational education center in the 1993-94 school year, total state school aid received by or paid on behalf of the district under this act in 1993-94 excludes payments made under former section 146 and under section 147 on behalf of the district's employees who provided direct services to the area vocational education center. Not later than June 30, 1996, the department shall make an adjustment under this subdivision to the district's combined state and local revenue per membership pupil in the 1994-95 fiscal year and the department of treasury shall make a final certification of the number of mills that may be levied by the district under section 1211 of the revised school code, MCL 380.1211, as a result of the adjustment under this subdivision.

(b) If a district had an adjustment made to its 1993-94 total state school aid that excluded payments made under former section 146 and under section 147 on behalf of the district's employees who provided direct services for intermediate district center programs operated by the district under sections 51 to 56, if nonresident pupils attending the center programs were included in the district's membership for purposes of calculating the combined state and local revenue per membership pupil for 1993-94, and if there is a signed agreement by all constituent districts of the intermediate district agreeing to an adjustment under this subdivision, the department shall calculate the foundation allowances for 1995-96 and 1996-97 of all districts that had pupils attending the intermediate district center program operated by the district that had the adjustment as if their combined state and local revenue per membership pupil for 1993-94 included resident pupils attending the center program and excluded nonresident pupils attending the center program.

Sec. 20f. (1) From the funds appropriated in section 11, there is allocated an amount not to exceed $18,000,000.00 for ~~2019-2020~~ **2020-2021** for payments to eligible districts under this section.

(2) The funding under this subsection is from the allocation under subsection (1). A district is eligible for funding under this subsection if the district received a payment under this section as it was in effect for 2013-2014. A district was eligible for funding in 2013-2014 if the sum of the following was less than $5.00:

(a) The increase in the district's foundation allowance or per-pupil payment as calculated under section 20 from 2012-2013 to 2013-2014.

(b) The district's equity payment per membership pupil under former section 22c for 2013-2014.

(c) The quotient of the district's allocation under section 147a for 2012-2013 divided by the district's membership pupils for 2012-2013 minus the quotient of the district's allocation under section 147a for 2013-2014 divided by the district's membership pupils for 2013-2014.

(3) The amount allocated to each eligible district under subsection (2) is an amount per membership pupil equal to the amount per membership pupil the district received under this section in 2013-2014.

(4) The funding under this subsection is from the allocation under subsection (1). A district is eligible for funding under this subsection if the sum of the following is less than $25.00:

(a) The increase in the district's foundation allowance or per-pupil payment as calculated under section 20 from 2014-2015 to 2015-2016.

(b) The decrease in the district's best practices per-pupil funding under former section 22f from 2014-2015 to 2015-2016.

(c) The decrease in the district's pupil performance per-pupil funding under former section 22j from 2014-2015 to 2015-2016.

(d) The quotient of the district's allocation under section 31a for 2015-2016 divided by the district's membership pupils for 2015-2016 minus the quotient of the district's allocation under section 31a for 2014-2015 divided by the district's membership pupils for 2014-2015.

(5) The amount allocated to each eligible district under subsection (4) is an amount per membership pupil equal to $25.00 minus the sum of the following:

(a) The increase in the district's foundation allowance or per-pupil payment as calculated under section 20 from 2014-2015 to 2015-2016.

(b) The decrease in the district's best practices per-pupil funding under former section 22f from 2014-2015 to 2015-2016.

(c) The decrease in the district's pupil performance per-pupil funding under former section 22j from 2014-2015 to 2015-2016.

(d) The quotient of the district's allocation under section 31a for 2015-2016 divided by the district's membership pupils for 2015-2016 minus the quotient of the district's allocation under section 31a for 2014-2015 divided by the district's membership pupils for 2014-2015.

(6) If the allocation under subsection (1) is insufficient to fully fund payments under subsections (3) and (5) as otherwise calculated under this section, the department shall prorate payments under this section on an equal per-pupil basis.

Sec. 21h. (1) From the appropriation in section 11, there is allocated ~~$6,000,000.00~~ **$6,137,400.00** for ~~2019-2020~~ **2020-2021** for assisting districts assigned by the superintendent to participate in a partnership **and districts that have established a community engagement advisory committee in partnership with the department of treasury, are required to submit a deficit elimination plan or an enhanced deficit elimination plan under section 1220 of the revised school code, MCL 380.1220, and are located in a city with a population between 9,000 and 11,000 that is in a county with a population between 155,000 and 160,000** to improve student achievement **and district financial stability**. **The superintendent shall collaborate with the state treasurer to identify any conditions that may be contributing to low academic performance within a district being considered for assignment to a partnership.** The purpose of the partnership is to identify district needs, develop intervention plans, and partner with public, private, and nonprofit organizations to coordinate resources and improve student achievement. Assignment of a district to a partnership is ~~at the sole discretion of~~ **made by** the superintendent **in consultation with the state treasurer**.

(2) A district ~~assigned to a partnership by the superintendent~~ **described in subsection (1)** is eligible for funding under this section if the district includes at least 1 school that has been ~~rated with a grade of "F", or comparable performance rating, in the most recent state accountability system rating and that does~~ **identified as low performing under the approved federal accountability system or the state accountability system. A district described in this subsection must do** all of the following **to be eligible for funding under this section**:

(a) ~~Completes~~ **For a partnership district under this section, within 90 days of assignment to the partnership described in this section, and for a district described in subsection (1) that is not a partnership district under this section, by October 15 of each year, complete** a comprehensive needs **assessment or** evaluation in collaboration with an intermediate ~~school~~ district, community members, education organizations, and postsecondary institutions, as applicable**,** ~~and~~ **that is** approved by the superintendent**.** ~~, within 90 days of assignment to the partnership described in this section.~~ The comprehensive needs **assessment or** evaluation must include at least all of the following:

(*i*) A review of the district's implementation and utilization of a multi-tiered system of supports to ensure that it is used to appropriately inform instruction.

(*ii*) A review of the district and school building leadership and educator capacity to substantially improve student outcomes.

(*iii*) A review of classroom, instructional, and operational practices and curriculum to ensure alignment with research-based instructional practices and state curriculum standards.

(b) ~~Develops an~~ **Develop an academic and financial operating or** intervention plan that has been approved by the superintendent and that addresses the needs identified in the comprehensive needs **assessment or** evaluation completed under subdivision (a). The intervention plan must include at least all of the following:

(*i*) Specific actions that will be taken by the district and each of its partners to improve student achievement.

(*ii*) Specific measurable benchmarks that will be met within 18 months to improve student achievement and identification of expected student achievement outcomes to be attained within 3 years after assignment to the partnership.

(c) ~~Crafts~~ **Craft** academic goals that put pupils on track to meet or exceed grade level proficiency.

(3) Upon approval of the **academic and financial operating or** intervention plan developed under subsection (2), the department**, in collaboration with the department of treasury,** shall assign a team of individuals with expertise in comprehensive school and district reform to partner with the district, the intermediate district, community organizations, education organizations, and postsecondary institutions identified in the **academic and financial operating or** intervention plan to review the district's use of existing financial resources to ensure that those resources are being used as efficiently and effectively as possible to improve student academic achievement **and to ensure district financial stability**. The superintendent of public instruction may waive burdensome administrative rules for a partnership district for the duration of the partnership agreement **and for a district described in subsection (1) that is not a partnership district under this section and that receives funding under this section in the current fiscal year**.

(4) Funds allocated under this section**, excluding funds allocated under subsection (5),** may be used to pay for district expenditures approved by the superintendent to improve student achievement. Funds may be used for professional development for teachers or district or school leadership, increased instructional time, teacher mentors, or other expenditures that directly impact student achievement and cannot be paid from

existing district financial resources. An eligible district ~~shall~~ **must** not receive funds under this section for more than 3 years. Notwithstanding section 17b, the department shall make payments to ~~eligible~~ districts under this section on a schedule determined by the department.

(5) From the funds allocated under subsection (1), there is allocated for 2020-2021 an amount not to exceed $137,400.00 for the purchase of a data analytics tool to be used by districts described in subsection (1). The superintendent of public instruction shall require districts described in subsection (1) to purchase a data analytics tool funded under this subsection as part of the agreements described in this section.

(6) ~~(5)~~ The department**, in consultation with the department of treasury,** shall annually report ~~in person~~ to the legislature on the activities funded under this section and how those activities impacted student achievement in ~~eligible~~ districts that received funds under this section. To the extent possible, participating districts receiving funding under this section shall participate in the report.

Sec. 22a. (1) From the appropriation in section 11, there is allocated an amount not to exceed $4,916,000,000.00 for 2019-2020 **and there is allocated an amount not to exceed $4,880,500,000.00 for 2020-2021** for payments to districts and qualifying public school academies to guarantee each district and qualifying public school academy an amount equal to its 1994-95 total state and local per pupil revenue for school operating purposes under section 11 of article IX of the state constitution of 1963. Pursuant to section 11 of article IX of the state constitution of 1963, this guarantee does not apply to a district in a year in which the district levies a millage rate for school district operating purposes less than it levied in 1994. However, subsection (2) applies to calculating the payments under this section. **Funds allocated under this section that are not expended in the fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22b and 51c to fully fund those allocations for the same fiscal year. For each fund transfer as described in the immediately preceding sentence that occurs, the state budget director shall send notification of the transfer to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies by not later than 14 calendar days after the transfer occurs.**

(2) To ensure that a district receives an amount equal to the district's 1994-95 total state and local per pupil revenue for school operating purposes, there is allocated to each district a state portion of the district's 1994-95 foundation allowance in an amount calculated as follows:

(a) Except as otherwise provided in this subsection, the state portion of a district's 1994-95 foundation allowance is an amount equal to the district's 1994-95 foundation allowance or $6,500.00, whichever is less, minus the difference between the sum of the product of the taxable value per membership pupil of all property in the district that is nonexempt property times the district's certified mills and, for a district with certified mills exceeding 12, the product of the taxable value per membership pupil of property in the district that is commercial personal property times the certified mills minus 12 mills and the quotient of the ad valorem property tax revenue of the district captured under tax increment financing acts divided by the district's membership. For a district that has a millage reduction required under section 31 of article IX of the state constitution of 1963, the department shall calculate the state portion of the district's foundation allowance as if that reduction did not occur. For a receiving district, if school operating taxes are to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, taxable value per membership pupil of all property in the receiving district that is nonexempt property and taxable value per membership pupil of property in the receiving district that is commercial personal property do not include property within the geographic area of the dissolved district; ad valorem property tax revenue of the receiving district captured under tax increment financing acts does not include ad valorem property tax revenue captured within the geographic boundaries of the dissolved district under tax increment financing acts; and certified mills do not include the certified mills of the dissolved district. For a community district, the department shall reduce the allocation as otherwise calculated under this section by an amount equal to the amount of local school operating tax revenue that would otherwise be due to the community district if not for the operation of section 386 of the revised school code, MCL 380.386, and the amount of this reduction is offset by the increase in funding under section 22b(2).

(b) For a district that had a 1994-95 foundation allowance greater than $6,500.00, the state payment under this subsection is the sum of the amount calculated under subdivision (a) plus the amount calculated under this subdivision. The amount calculated under this subdivision must be equal to the difference between the district's 1994-95 foundation allowance minus $6,500.00 and the current year hold harmless school operating taxes per pupil. If the result of the calculation under subdivision (a) is negative, the negative amount is an offset against any state payment calculated under this subdivision. If the result of a calculation under this subdivision is negative, there is not a state payment or a deduction under this subdivision. The taxable values per membership pupil used in the calculations under this subdivision are as adjusted by ad valorem property tax revenue captured under tax increment financing acts divided by the district's

membership. For a receiving district, if school operating taxes are to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, ad valorem property tax revenue captured under tax increment financing acts do not include ad valorem property tax revenue captured within the geographic boundaries of the dissolved district under tax increment financing acts.

(3) Beginning in 2003-2004, for pupils in membership in a qualifying public school academy, there is allocated under this section to the authorizing body that is the fiscal agent for the qualifying public school academy for forwarding to the qualifying public school academy an amount equal to the 1994-95 per pupil payment to the qualifying public school academy under section 20.

(4) A district or qualifying public school academy may use funds allocated under this section in conjunction with any federal funds for which the district or qualifying public school academy otherwise would be eligible.

(5) Except as otherwise provided in this subsection, for a district that is formed or reconfigured after June 1, 2000 by consolidation of 2 or more districts or by annexation, the resulting district's 1994-95 foundation allowance under this section beginning after the effective date of the consolidation or annexation is the average of the 1994-95 foundation allowances of each of the original or affected districts, calculated as provided in this section, weighted as to the percentage of pupils in total membership in the resulting district in the fiscal year in which the consolidation takes place who reside in the geographic area of each of the original districts. If an affected district's 1994-95 foundation allowance is less than the 1994-95 basic foundation allowance, the amount of that district's 1994-95 foundation allowance is considered for the purpose of calculations under this subsection to be equal to the amount of the 1994-95 basic foundation allowance. This subsection does not apply to a receiving district unless there is a subsequent consolidation or annexation that affects the district.

(6) Payments under this section are subject to section 25g.

(7) As used in this section:

(a) "1994-95 foundation allowance" means a district's 1994-95 foundation allowance calculated and certified by the department of treasury or the superintendent under former section 20a as enacted in 1993 PA 336 and as amended by 1994 PA 283.

(b) "Certified mills" means the lesser of 18 mills or the number of mills of school operating taxes levied by the district in 1993-94.

(c) "Current fiscal year" means the fiscal year for which a particular calculation is made.

(d) "Current year hold harmless school operating taxes per pupil" means the per pupil revenue generated by multiplying a district's 1994-95 hold harmless millage by the district's current year taxable value per membership pupil. For a receiving district, if school operating taxes are to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, taxable value per membership pupil does not include the taxable value of property within the geographic area of the dissolved district.

(e) "Dissolved district" means a district that loses its organization, has its territory attached to 1 or more other districts, and is dissolved as provided under section 12 of the revised school code, MCL 380.12.

(f) "Hold harmless millage" means, for a district with a 1994-95 foundation allowance greater than $6,500.00, the number of mills by which the exemption from the levy of school operating taxes on a principal residence, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, commercial personal property, and property occupied by a public school academy could be reduced as provided in section 1211 of the revised school code, MCL 380.1211, and the number of mills of school operating taxes that could be levied on all property as provided in section 1211(2) of the revised school code, MCL 380.1211, as certified by the department of treasury for the 1994 tax year. For a receiving district, if school operating taxes are to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, school operating taxes do not include school operating taxes levied within the geographic area of the dissolved district.

(g) "Membership" means the definition of that term under section 6 as in effect for the particular fiscal year for which a particular calculation is made.

(h) "Nonexempt property" means property that is not a principal residence, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, commercial personal property, or property occupied by a public school academy.

(i) "Principal residence", "qualified agricultural property", "qualified forest property", "supportive housing property", "industrial personal property", and "commercial personal property" mean those terms as defined in section 1211 of the revised school code, MCL 380.1211.

(j) "Qualifying public school academy" means a public school academy that was in operation in the 1994-95 school year and is in operation in the current fiscal year.

(k) "Receiving district" means a district to which all or part of the territory of a dissolved district is attached under section 12 of the revised school code, MCL 380.12.

(*l*) "School operating taxes" means local ad valorem property taxes levied under section 1211 of the revised school code, MCL 380.1211, and retained for school operating purposes as defined in section 20.

(m) "Tax increment financing acts" means parts 2, 3, 4, and 6 of the recodified tax increment financing act, 2018 PA 57, MCL 125.4201 to 125.4420 and 125.4602 to 125.4629, or the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.

(n) "Taxable value per membership pupil" means each of the following divided by the district's membership:

(*i*) For the number of mills by which the exemption from the levy of school operating taxes on a principal residence, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, commercial personal property, and property occupied by a public school academy may be reduced as provided in section 1211 of the revised school code, MCL 380.1211, the taxable value of principal residence, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, commercial personal property, and property occupied by a public school academy for the calendar year ending in the current fiscal year. For a receiving district, if school operating taxes are to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, mills do not include mills within the geographic area of the dissolved district.

(*ii*) For the number of mills of school operating taxes that may be levied on all property as provided in section 1211(2) of the revised school code, MCL 380.1211, the taxable value of all property for the calendar year ending in the current fiscal year. For a receiving district, if school operating taxes are to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, school operating taxes do not include school operating taxes levied within the geographic area of the dissolved district.

Sec. 22b. (1) For discretionary nonmandated payments to districts under this section, there is allocated for 2019-2020 an amount not to exceed $4,499,100,000.00 from the state school aid fund and general fund appropriations in section 11 and an amount not to exceed $75,900,000.00 from the community district education trust fund appropriation in section 11**, and there is allocated for 2020-2021 an amount not to exceed $4,488,800,000.00 from the state school aid fund and general fund appropriations in section 11 and an amount not to exceed $77,700,000.00 from the community district education trust fund appropriation in section 11**. **Except for money allocated under this section from the community district education trust fund appropriation in section 11, funds allocated under this section that are not expended in the fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22a and 51c to fully fund those allocations for the same fiscal year. For each fund transfer as described in the immediately preceding sentence that occurs, the state budget director shall send notification of the transfer to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies by not later than 14 calendar days after the transfer occurs.**

(2) Subject to subsection (3) and section 296, the allocation to a district under this section is an amount equal to the sum of the amounts calculated under sections 20, 51a(2), 51a(3), and 51a(11), minus the sum of the allocations to the district under sections 22a and 51c. For a community district, the allocation as otherwise calculated under this section is increased by an amount equal to the amount of local school operating tax revenue that would otherwise be due to the community district if not for the operation of section 386 of the revised school code, MCL 380.386, and this increase must be paid from the community district education trust fund allocation in subsection (1) in order to offset the absence of local school operating revenue in a community district in the funding of the state portion of the foundation allowance under section 20(4).

(3) In order to receive an allocation under subsection (1), each district must do all of the following:

(a) Comply with section 1280b of the revised school code, MCL 380.1280b.

(b) Comply with sections 1278a and 1278b of the revised school code, MCL 380.1278a and 380.1278b.

(c) Furnish data and other information required by state and federal law to the center and the department in the form and manner specified by the center or the department, as applicable.

(d) Comply with section 1230g of the revised school code, MCL 380.1230g.

(e) Comply with section 21f.

(f) For a district that has entered into a partnership agreement with the department, comply with section 22p.

(g) For a district that offers kindergarten, comply with section 104(4).

(4) Districts are encouraged to use funds allocated under this section for the purchase and support of payroll, human resources, and other business function software that is compatible with that of the intermediate district in which the district is located and with other districts located within that intermediate district.

(5) From the allocation in subsection (1), the department shall pay up to $1,000,000.00 in litigation costs incurred by this state related to commercial or industrial property tax appeals, including, but not limited to, appeals of classification, that impact revenues dedicated to the state school aid fund.

(6) From the allocation in subsection (1), the department shall pay up to $1,000,000.00 in litigation costs incurred by this state associated with lawsuits filed by 1 or more districts or intermediate districts against this state. If the allocation under this section is insufficient to fully fund all payments required under this section, the payments under this subsection must be made in full before any proration of remaining payments under this section.

(7) It is the intent of the legislature that all constitutional obligations of this state have been fully funded under sections 22a, 31d, 51a, 51c, and 152a. If a claim is made by an entity receiving funds under this article that challenges the legislative determination of the adequacy of this funding or alleges that there exists an unfunded constitutional requirement, the state budget director may escrow or allocate from the discretionary funds for nonmandated payments under this section the amount as may be necessary to satisfy the claim before making any payments to districts under subsection (2). If funds are escrowed, the escrowed funds are a work project appropriation and the funds are carried forward into the following fiscal year. The purpose of the work project is to provide for any payments that may be awarded to districts as a result of litigation. The work project is completed upon resolution of the litigation.

(8) If the local claims review board or a court of competent jurisdiction makes a final determination that this state is in violation of section 29 of article IX of the state constitution of 1963 regarding state payments to districts, the state budget director shall use work project funds under subsection (7) or allocate from the discretionary funds for nonmandated payments under this section the amount as may be necessary to satisfy the amount owed to districts before making any payments to districts under subsection (2).

(9) If a claim is made in court that challenges the legislative determination of the adequacy of funding for this state's constitutional obligations or alleges that there exists an unfunded constitutional requirement, any interested party may seek an expedited review of the claim by the local claims review board. If the claim exceeds $10,000,000.00, this state may remove the action to the court of appeals, and the court of appeals has and shall exercise jurisdiction over the claim.

(10) If payments resulting from a final determination by the local claims review board or a court of competent jurisdiction that there has been a violation of section 29 of article IX of the state constitution of 1963 exceed the amount allocated for discretionary nonmandated payments under this section, the legislature shall provide for adequate funding for this state's constitutional obligations at its next legislative session.

(11) If a lawsuit challenging payments made to districts related to costs reimbursed by federal title XIX Medicaid funds is filed against this state, then, for the purpose of addressing potential liability under such a lawsuit, the state budget director may place funds allocated under this section in escrow or allocate money from the funds otherwise allocated under this section, up to a maximum of 50% of the amount allocated in subsection (1). If funds are placed in escrow under this subsection, those funds are a work project appropriation and the funds are carried forward into the following fiscal year. The purpose of the work project is to provide for any payments that may be awarded to districts as a result of the litigation. The work project is completed upon resolution of the litigation. In addition, this state reserves the right to terminate future federal title XIX Medicaid reimbursement payments to districts if the amount or allocation of reimbursed funds is challenged in the lawsuit. As used in this subsection, "title XIX" means title XIX of the social security act, 42 USC 1396 to 1396w-5.

Sec. 22d. (1) From the state school aid fund money appropriated under section 11, an amount not to exceed $7,000,000.00 is allocated for ~~2019-2020~~ **2020-2021** for supplemental payments to rural districts under this section.

(2) From the allocation under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $957,300.00 for payments under this subsection to districts that meet all of the following:

(a) Operates grades K to 12.

(b) Has fewer than 250 pupils in membership.

(c) Each school building operated by the district meets at least 1 of the following:

(*i*) Is located in the Upper Peninsula at least 30 miles from any other public school building.

(*ii*) Is located on an island that is not accessible by bridge.

(3) The amount of the additional funding to each eligible district under subsection (2) is determined under a spending plan developed as provided in this subsection and approved by the superintendent of public

instruction. The spending plan must be developed cooperatively by the intermediate superintendents of each intermediate district in which an eligible district is located. The intermediate superintendents shall review the financial situation of each eligible district, determine the minimum essential financial needs of each eligible district, and develop and agree on a spending plan that distributes the available funding under subsection (2) to the eligible districts based on those financial needs. The intermediate superintendents shall submit the spending plan to the superintendent of public instruction for approval. Upon approval by the superintendent of public instruction, the amounts specified for each eligible district under the spending plan are allocated under subsection (2) and must be paid to the eligible districts in the same manner as payments under section 22b.

(4) Subject to subsection (6), from the allocation in subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $6,042,700.00 for payments under this subsection to districts that have fewer than 10.0 pupils per square mile as determined by the department.

(5) The funds allocated under subsection (4) are allocated as follows:

(a) An amount equal to $5,200,000.00 is allocated to districts with fewer than 8.0 pupils per square mile, as determined by the department, on an equal per-pupil basis.

(b) The balance of the funding under subsection (4) is allocated as follows:

(*i*) For districts with at least 8.0 but fewer than 9.0 pupils per square mile, as determined by the department, the allocation is an amount per pupil equal to 75% of the per-pupil amount allocated to districts under subdivision (a).

(*ii*) For districts with at least 9.0 but fewer than 10.0 pupils per square mile, as determined by the department, the allocation is an amount per pupil equal to 50% of the per-pupil amount allocated to districts under subdivision (a).

(c) If the total funding allocated under subdivision (b) is not sufficient to fully fund payments as calculated under that subdivision, the department shall prorate payments to districts under subdivision (b) on an equal per-pupil basis.

(6) A district receiving funds allocated under subsection (2) is not eligible for funding allocated under subsection (4).

Sec. 22m. (1) From the appropriations in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $2,200,000.00 for supporting the integration of local data systems into the Michigan data hub network based on common standards and applications that are in compliance with section 19(6).

(2) An entity that is the fiscal agent for no more than 5 consortia of intermediate districts that previously received funding from the technology readiness infrastructure grant under former section 22i for the purpose of establishing regional data hubs that are part of the Michigan data hub network is eligible for funding under this section.

(3) The center shall work with an advisory committee composed of representatives from intermediate districts within each of the data hub regions to coordinate the activities of the Michigan data hub network.

(4) The center, in collaboration with the Michigan data hub network, shall determine the amount of funds distributed under this section to each participating regional data hub within the network, based upon a competitive grant process. The center shall ensure that the entities receiving funding under this section represent geographically diverse areas in this state.

(5) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the center.

(6) To receive funding under this section, a regional data hub must have a governance model that ensures local control of data, data security, and student privacy issues. The integration of data within each of the regional data hubs must provide for the actionable use of data by districts and intermediate districts through common reports and dashboards and for efficiently providing information to meet state and federal reporting purposes.

(7) Participation in a data hub region in the Michigan data hub network under this section is voluntary and is not required.

(8) Entities receiving funding under this section shall use the funds for all of the following:

(a) Creating an infrastructure that effectively manages the movement of data between data systems used by intermediate districts, districts, and other educational organizations in Michigan based on common data standards to improve student achievement.

(b) Utilizing the infrastructure to put in place commonly needed integrations, reducing cost and effort to do that work while increasing data accuracy and usability.

(c) Promoting the use of a more common set of applications by promoting systems that integrate with the Michigan data hub network.

(d) Promoting 100% district adoption of the Michigan data hub network by September 30, ~~2020.~~**2021.**

(e) Ensuring local control of data, data security, and student data privacy.

(f) Utilizing the infrastructure to promote the actionable use of data through common reports and dashboards that are consistent statewide.

(g) Creating a governance model to facilitate sustainable operations of the infrastructure in the future, including administration, legal agreements, documentation, staffing, hosting, and funding.

(h) Evaluating future data initiatives at all levels to determine whether the initiatives can be enhanced by using the standardized environment in the Michigan data hub network.

(9) Not later than January 1 of each fiscal year, the center shall prepare a summary report of information provided by each entity that received funds under this section that includes measurable outcomes based on the objectives described under this section and a summary of compiled data from each entity to provide a means to evaluate the effectiveness of the project. The center shall submit the report to the house and senate appropriations subcommittees on state school aid and to the house and senate fiscal agencies.

Sec. 22p. **(1)** ~~In~~ **Subject to subsection (2), in** order to receive funding under section 22b, a district or public school academy that ~~has~~ **is assigned by the superintendent of public instruction as a partnership district must have** a signed **3-year** partnership agreement with the department ~~must meet both of the following:~~**that includes all of the following:**

(a) ~~Adopts a partnership agreement that includes measurable~~ **Measurable** academic outcomes that ~~will be achieved~~ **the district or public school academy will achieve for each school operated by the district or public school academy that is subject to the partnership agreement** after 18 months and after 36 months from the date the agreement was originally signed. Measurable academic outcomes under this subdivision must include ~~outcomes~~ **all of the following:**

(*i*) Outcomes that put pupils on track to meet or exceed grade level proficiency ~~and must be~~ **and that are** based on district **or public school academy** needs identified as required under section 21h.

(*ii*) Either of the following, as applicable:

(A) At least 1 proficiency or growth outcome based on state assessments described in section 104b or 104c.

(B) For 2020-2021 only, at least 1 proficiency or growth outcome based on a benchmark assessment described in section 104.

(b) ~~Adopts a partnership agreement that includes accountability~~ **Accountability** measures to be imposed if the district or public school academy does not achieve the measurable academic outcomes ~~under~~ **described in** subdivision (a) for ~~a~~ **each** school **operated by the district or public school academy that is** subject to ~~a~~ **the** partnership agreement. ~~Accountability~~ **For a district assigned as a partnership district as described in this subsection, accountability** measures under this subdivision ~~may~~ **must** include ~~the closure of the school at the end of the current school year or~~ the reconstitution of the school. ~~For a public school academy that adopts a partnership agreement under this subdivision, the agreement must include a~~ **For a public school academy assigned as a partnership district as described in this subsection, accountability measures under this subdivision may include the reconstitution of the school.**

(c) For a public school academy assigned as a partnership district as described in this subsection, a requirement that**,** if reconstitution is imposed on a school that is operated by the public school academy and that is subject to the partnership agreement, the school must be reconstituted as described in section 507**, 528, or 561, as applicable,** of the revised school code, MCL 380.507**,** ~~. For a district that adopts a partnership agreement under this subdivision, the agreement must include a requirement~~ **380.528, and 380.561.**

(d) For a district assigned as a partnership district as described in this subsection, a provision that**,** if reconstitution is imposed on a school that is operated by the district and that is subject to the partnership agreement, ~~all of the following apply:~~**reconstitution may require closure of the school building, but, if the school building remains open, reconstitution must include, but is not limited to, all of the following:**

(*i*) The district shall make significant changes to the instructional and noninstructional programming of the school based on the needs identified through a comprehensive review of data in compliance with section 21h.

(*ii*) The district shall ~~replace the principal of the school, unless the current principal has been in place for less than 3 years and the board of the district determines that it is in the best interests of the district to retain current school leadership.~~**review whether the current principal of the school should remain as principal or be replaced.**

(*iii*) The reconstitution plan for the school ~~shall~~ **must** require the adoption of goals similar to the goals included in ~~a~~ **the** partnership agreement, with a limit of ~~5~~ **3** years to achieve the goals. If the goals are not achieved within ~~5~~ **3** years, the superintendent of public instruction shall ~~either~~ impose a second reconstitution plan**.** ~~on the school or close the school.~~

(2) If a district or public school academy is assigned as a partnership district as described in subsection (1) during the current fiscal year, it shall ensure that it has a signed partnership agreement as described in subsection (1) in place by not later than 90 days after the date that it is assigned as a partnership district. If a district or public school academy described in this subsection does not comply with this subsection, the department shall withhold funding under section 22b for that district or public school academy until the district or public school academy has a signed partnership agreement as described in subsection (1) in place.

Sec. 24. (1) From the appropriation in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $7,150,000.00 for payments to the educating district or intermediate district for educating pupils assigned by a court or the department of health and human services to reside in or to attend a juvenile detention facility or child caring institution licensed by the department of health and human services and approved by the department to provide an on-grounds education program. The amount of the payment under this section to a district or intermediate district is calculated as prescribed under subsection (2).

(2) The department shall allocate the total amount allocated under this section by paying to the educating district or intermediate district an amount equal to the lesser of the district's or intermediate district's added cost or the department's approved per-pupil allocation for the district or intermediate district. For the purposes of this subsection:

(a) "Added cost" means 100% of the added cost each fiscal year for educating all pupils assigned by a court or the department of health and human services to reside in or to attend a juvenile detention facility or child caring institution licensed by the department of health and human services or the department of licensing and regulatory affairs and approved by the department to provide an on-grounds education program. Added cost is computed by deducting all other revenue received under this article for pupils described in this section from total costs, as approved by the department, in whole or in part, for educating those pupils in the on-grounds education program or in a program approved by the department that is located on property adjacent to a juvenile detention facility or child caring institution. Costs reimbursed by federal funds are not included.

(b) "Department's approved per-pupil allocation" for a district or intermediate district is determined by dividing the total amount allocated under this section for a fiscal year by the full-time equated membership total for all pupils approved by the department to be funded under this section for that fiscal year for the district or intermediate district.

(3) A district or intermediate district educating pupils described in this section at a residential child caring institution may operate, and receive funding under this section for, a department-approved on-grounds educational program for those pupils that is longer than 181 days, but not longer than 233 days, if the child caring institution was licensed as a child caring institution and offered in 1991-92 an on-grounds educational program that was longer than 181 days but not longer than 233 days and that was operated by a district or intermediate district.

(4) Special education pupils funded under section 53a are not funded under this section.

Sec. 24a. From the appropriation in section 11, there is allocated an amount not to exceed $1,355,700.00 for ~~2019-2020~~ **2020-2021** for payments to intermediate districts for pupils who are placed in juvenile justice service facilities operated by the department of health and human services. The amount of the payment to each intermediate district is an amount equal to the state share of those costs that are clearly and directly attributable to the educational programs for pupils placed in facilities described in this section that are located within the intermediate district's boundaries. The intermediate districts receiving payments under this section shall cooperate with the department of health and human services to ensure that all funding allocated under this section is utilized by the intermediate district and department of health and human services for educational programs for pupils described in this section. Pupils described in this section are not eligible to be funded under section 24. However, a program responsibility or other fiscal responsibility associated with these pupils must not be transferred from the department of health and human services to a district or intermediate district unless the district or intermediate district consents to the transfer.

Sec. 25f. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $1,600,000.00 for ~~2019-2020~~ **2020-2021** for payments to strict discipline academies established under sections 1311b to 1311m of the revised school code, MCL 380.1311b to 380.1311m, as provided under this section.

(2) In order to receive funding under this section, a strict discipline academy ~~shall~~ **must** first comply with section 25e and use the pupil transfer process under that section for changes in enrollment as prescribed under that section.

(3) The total amount allocated to a strict discipline academy under this section must first be distributed as the lesser of the strict discipline academy's added cost or the department's approved per-pupil allocation for the strict discipline academy. Any funds remaining after the first distribution must be distributed by prorating

on an equal per-pupil membership basis, not to exceed a strict discipline academy's added cost. However, the sum of the amounts received by a strict discipline academy under this section and under section 24 must not exceed the product of the strict discipline academy's per-pupil allocation calculated under section 20 multiplied by the strict discipline academy's full-time equated membership. The department shall allocate funds to strict discipline academies under this section on a monthly basis. For the purposes of this subsection:

(a) "Added cost" means 100% of the added cost each fiscal year for educating all pupils enrolled and in regular daily attendance at a strict discipline academy. Added cost must be computed by deducting all other revenue received under this article for pupils described in this subsection from total costs, as approved by the department, in whole or in part, for educating those pupils in a strict discipline academy. The department shall include all costs including, but not limited to, educational costs, insurance, management fees, technology costs, legal fees, auditing fees, interest, pupil accounting costs, and any other administrative costs necessary to operate the program or to comply with statutory requirements. Costs reimbursed by federal funds are not included.

(b) "Department's approved per-pupil allocation" for a strict discipline academy is determined by dividing the total amount allocated under this subsection for a fiscal year by the full-time equated membership total for all pupils approved by the department to be funded under this subsection for that fiscal year for the strict discipline academy.

(4) Special education pupils funded under section 53a are not funded under this section.

(5) If the funds allocated under this section are insufficient to fully fund the adjustments under subsection (3), the department shall prorate payments under this section on an equal per-pupil basis.

(6) The department shall make payments to districts under this section according to the payment schedule under section 17b.

Sec. 25g. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $750,000.00 for ~~2019-2020~~ **2020-2021** for the purposes of this section. Except as otherwise provided in this section, if the operation of the special membership counting provisions under section 6(4)(dd) and the other membership counting provisions under section 6(4) result in a pupil being counted as more than 1.0 FTE in a fiscal year, then the payment made for the pupil under sections 22a and 22b must not be based on more than 1.0 FTE for that pupil, and that portion of the FTE that exceeds 1.0 is paid under this section in an amount equal to that portion multiplied by the educating district's foundation allowance or per-pupil payment calculated under section 20.

(2) Special education pupils funded under section 53a are not funded under this section.

(3) If the funds allocated under this section are insufficient to fully fund the adjustments under subsection (1), the department shall prorate payments under this section on an equal per-pupil basis.

(4) The department shall make payments to districts under this section according to the payment schedule under section 17b.

Sec. 25i. (1) From the general fund money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $2,000,000.00 for an eligible attendance recovery program as described in subsection (3). The funds allocated under this section must be used to administer an eligible attendance recovery program for all districts that opt into the program to serve eligible pupils described in subsection (2).

(2) A pupil who meets any of the following and who is enrolled in a district that opts into the attendance recovery program funded under this section is an eligible pupil under this section:

(a) The pupil did not engage in the district's remote continuous education offerings in spring 2020.

(b) The pupil needs intervention based on his or her absences or consistent disengagement in classes.

(c) The pupil is in danger of failing 1 or more classes.

(d) The pupil is eligible under the McKinney-Vento homelessness assistance act, Public Law 100-77, or is in foster care.

(e) The pupil's family requires financial or social support.

(f) The pupil has disengaged in his or her education, is attending school irregularly, or is not progressing in his or her coursework.

(3) An attendance recovery program that meets all of the following is an eligible attendance recovery program under this section:

(a) Reflects experience and successful outcomes running statewide student recovery programs.

(b) Has, at a minimum, 2 years of experience working with this state's local education agencies.

(c) Has multimodal contact capabilities that include, but are not limited to, a call center, electronic mail, text, social-media matching, and public service announcements.

(d) Reflects experience in assisting at-risk students in overcoming learning barriers in a remote or online learning environment.

(e) Has the ability to scale to provide outreach to at least 20,000 students before the end of 2020.

(4) The department shall choose and designate the provider of the eligible attendance recovery program under this section by not later than November 1, 2020. The provider chosen and designated by the department under this subsection must do all of the following:

(a) Work with the department to notify districts about the program and provide technical assistance to districts interested in opting in.

(b) Work with each district to obtain contact information for each eligible pupil.

(c) Provide outreach using differentiated treatment strategies to pupils and families using multiple modalities that may include phone, text, social media, electronic mail, and traditional mail, to find and engage eligible pupils.

(d) Implement a culturally and linguistically responsive outreach and support plan. Elements of the plan must include differentiated outreach and ongoing coaching strategies to families to ensure cultural and linguistic relevance.

(e) Use information about barriers to engagement gathered from pupils and families to assign eligible pupils to an ongoing support level. Ongoing support levels described in this subdivision must include a minimum of 3 support tiers following the general design of response to intervention (RTI) models.

(f) For eligible pupils and their families, provide a coach to deliver interventions in accordance with the pupil's needs and the framework of his or her assigned ongoing support level.

(g) Report weekly to each district that has opted into the program and to the department with metrics agreed upon by the provider and the department.

(5) Notwithstanding section 17b, the department shall make payments under this section by not later than December 1, 2020.

Sec. 25j. (1) From the state school aid fund money appropriated in section 11, there is allocated $2,000,000.00 to intermediate districts for 2020-2021 to be used for the purposes described in subsection (3).

(2) The funding provided to each intermediate district under this section must be based on the number of pupils within the intermediate district who are economically disadvantaged in proportion to the number of economically disadvantaged pupils statewide.

(3) An intermediate district that receives a payment from funds allocated under subsection (1) shall use the funding to support districts that offered in-person instruction at the beginning of the 2019-2020 fiscal year but that began the 2020-2021 fiscal year utilizing a virtual-only mode of instruction or a hybrid of in-person and a virtual mode of instruction. Funds allocated under subsection (1) must be used for the following purposes:

(a) To meet the unique needs of students with an individualized education program.

(b) To address increased numbers of chronically absent pupils, as applicable.

(c) To offer child care solutions for elementary-aged students.

(4) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

(5) As used in this section, "economically disadvantaged" means that term as defined in section 31a.

Sec. 26a. From the funds appropriated in section 11, ~~there is allocated an amount not to exceed $14,000,000.00 for 2018-2019 and~~ there is allocated an amount not to exceed $15,300,000.00 for ~~2019-2020~~ **2020-2021** to reimburse districts and intermediate districts ~~pursuant to~~ **under** section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692, for taxes levied in ~~2018 and 2019, as applicable.~~ **2020.** The department shall pay the allocations not later than 60 days after the department of treasury certifies to the department and to the state budget director that the department of treasury has received all necessary information to properly determine the amounts due to each eligible recipient.

Sec. 26b. (1) From the appropriation in section 11, ~~there is allocated an amount not to exceed $4,420,100.00 for 2018-2019 and~~ there is allocated an amount not to exceed ~~$4,641,100.00~~ **$4,645,000.00** for ~~2019-2020~~ **2020-2021** for payments to districts, intermediate districts, and community college districts for the portion of the payment in lieu of taxes obligation that is attributable to districts, intermediate districts, and community college districts under section 2154 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2154.

(2) If the amount appropriated under this section is not sufficient to fully pay obligations under this section, payments are prorated on an equal basis among all eligible districts, intermediate districts, and community college districts.

Sec. 26c. (1) From the ~~appropriation in~~ **state school aid fund money appropriated under** section 11, there is allocated an amount not to exceed ~~$7,400,000.00~~ **$9,700,000.00** for ~~2019-2020~~ **2020-2021** to the promise zone fund created in subsection (3). The funds allocated under this section reflect the amount of revenue from the collection of the state education tax captured under section 17 of the Michigan promise zone authority act, 2008 PA 549, MCL 390.1677.

(2) Funds allocated to the promise zone fund under this section must be used solely for payments to eligible districts and intermediate districts, in accordance with section 17 of the Michigan promise zone authority act, 2008 PA 549, MCL 390.1677, that have a promise zone development plan approved by the department of treasury under section 7 of the Michigan promise zone authority act, 2008 PA 549, MCL 390.1667. Eligible districts and intermediate districts shall use payments made under this section for reimbursement for qualified educational expenses as defined in section 3 of the Michigan promise zone authority act, 2008 PA 549, MCL 390.1663.

(3) The promise zone fund is created as a separate account within the state school aid fund to be used solely for the purposes of the Michigan promise zone authority act, 2008 PA 549, MCL 390.1661 to 390.1679. All of the following apply to the promise zone fund:

(a) The state treasurer shall direct the investment of the promise zone fund. The state treasurer shall credit to the promise zone fund interest and earnings from fund investments.

(b) Money in the promise zone fund at the close of a fiscal year remains in the promise zone fund and does not lapse to the general fund.

(4) Subject to subsection (2), the state treasurer may make payments from the promise zone fund to eligible districts and intermediate districts under the Michigan promise zone authority act, 2008 PA 549, MCL 390.1661 to 390.1679, to be used for the purposes of a promise zone authority created under that act.

(5) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 28. (1) To recognize differentiated instructional costs for different types of pupils in ~~2019-2020,~~ **2020-2021,** the following sections provide a weighted foundation allocation or an additional payment of some type in the following amounts, as allocated under those sections:

(a) Section 22d, isolated and rural districts, $7,000,000.00.

(b) Section 31a, at risk, standard programming, $510,000,000.00.

(c) Section 31a, at risk, additional payment, $12,000,000.00.

(d) Section 41, bilingual education for English language learners, ~~$16,000,000.00.~~**$13,000,000.00.**

(e) Section 51c, special education, mandated percentages, ~~$689,100,000.00.~~**$713,400,000.00.**

(f) Section 51f, special education, additional percentages, $60,207,000.00.

(g) Section 61a, career and technical education, standard reimbursement, $37,611,300.00.

(h) Section 61d, career and technical education incentives, ~~$10,000,000.00.~~**$5,000,000.00.**

(2) The funding described in subsection (1) is not a separate allocation of any funding but is instead a listing of funding allocated in the sections listed in subsection (1).

Sec. 29a. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $66,000,000.00 for payments as provided under this section to eligible districts described in subsection (2).

(2) A district for which its 2020-2021 pupils in membership exceeds the calculation of membership for that district under section 6(4) for 2020-2021 is an eligible district under this section.

(3) The payment to each eligible district under this section must be equal to the lesser of the eligible district's foundation allowance or the target foundation allowance multiplied by the difference between the eligible district's 2020-2021 pupils in membership and the eligible district's membership for 2020-2021 as calculated under section 6(4).

(4) If funds allocated under this section are insufficient to fully fund the calculations under this section, the department shall apply proration of an equal dollar amount per pupil.

(5) As used in this section, "2020-2021 pupils in membership" means the sum of (the product of .90 times the number of full-time equated pupils engaged in pandemic learning for fall 2020 or, for a district that is a public school academy that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district on pupil membership count day for the current school year) and (the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district for the immediately preceding school year).

Sec. 31a. (1) From the state school aid fund money appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $535,150,000.00 for payments to eligible districts and eligible public school academies for the purposes of ensuring that pupils are proficient in English language arts by the end of grade 3, that pupils are proficient in mathematics by the end of grade 8, that pupils are attending school regularly, that high school graduates are career and college ready, and for the purposes under subsections (7) and (8).

(2) For a district that has combined state and local revenue per membership pupil under section 20 that is greater than the target foundation allowance under section 20 for the current fiscal year and that, for the immediately preceding fiscal year, had combined state and local revenue per membership pupil under section 20 that was greater than the ~~basic~~ **target** foundation allowance under section 20 that was in effect for

~~the 2018-2019~~ **that** fiscal year, the allocation under this section is an amount equal to 30% of the allocation for which it would otherwise be eligible under this section before any proration under subsection (14). **It is the intent of the legislature that, if revenues are sufficient and if districts with combined state and local revenue per membership pupil under section 20 that is below the target foundation allowance are receiving nonprorated payments under this section, the percentage in the immediately preceding sentence must be increased annually until it reaches 100%.** If a district has combined state and local revenue per membership pupil under section 20 that is greater than the target foundation allowance under section 20 for the current fiscal year, but for the ~~immediately preceding~~ **2018-2019** fiscal year had combined state and local revenue per membership pupil under section 20 that was less than the basic foundation allowance under section 20 that was in effect for the 2018-2019 fiscal year, the district shall receive an amount per pupil equal to 11.5% of the statewide weighted average foundation allowance, as applied under subsection (4), and before any proration under subsection (14).

(3) For a district or public school academy to be eligible to receive funding under this section, other than funding under subsection (7) or (8), the district or public school academy, for grades K to 12, ~~shall~~ **must** comply with the requirements under section 1280f of the revised school code, MCL 380.1280f, and shall use resources to address early literacy and numeracy, and for at least grades K to 12 or, if the district or public school academy does not operate all of grades K to 12, for all of the grades it operates, must implement a multi-tiered system of supports that is an evidence based framework that uses data driven problem solving to integrate academic and behavioral instruction and that uses intervention delivered to all pupils in varying intensities based on pupil needs. The multi-tiered system of supports described in this subsection must provide at least all of the following essential components:

(a) Team-based leadership.

(b) A tiered delivery system.

(c) Selection and implementation of instruction, interventions, and supports.

(d) A comprehensive screening and assessment system.

(e) Continuous data-based decision making.

(4) From the funds allocated under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $510,000,000.00 to continue a weighted foundation per pupil payment for districts and public school academies enrolling economically disadvantaged pupils. The department shall pay under this section to each eligible district or eligible public school academy an amount per pupil equal to 11.5% of the statewide weighted average foundation allowance for the following, as applicable:

(a) Except as otherwise provided under subdivision (b)**,** ~~or~~ (c), **or (d)** the greater of the following:

(*i*) The number of membership pupils in the district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year.

(*ii*) If the district or public school academy is in the community eligibility program, the number of pupils determined to be eligible based on the product of the identified student percentage multiplied by the total number of ~~membership~~ pupils in the district or public school academy, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year. **These calculations must be made at the building level.** This subparagraph only applies to an eligible district or eligible public school academy for the fiscal year immediately following the first fiscal year in which it is in the community eligibility program. As used in this subparagraph, "identified student percentage" means the quotient of the number of ~~membership~~ pupils in an eligible district or eligible public school academy who are determined to be economically disadvantaged, as reported to the center in a form and manner prescribed by the center, not later than the fifth Wednesday after the pupil membership count day in the fiscal year preceding the first fiscal year in which the eligible district or eligible public school academy is in the community eligibility program, divided by the **total number of** pupils counted ~~in membership~~ in an eligible district or eligible public school academy on the pupil membership count day in the fiscal year preceding the first fiscal year in which the eligible district or eligible public school academy is in the community eligibility program.

(b) If the district or public school academy began operations as a district or public school academy after the pupil membership count day of the immediately preceding school year, the number of membership pupils in the district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the current fiscal year.

(c) If the district or public school academy began operations as a district or public school academy after the pupil membership count day of the current fiscal year, the number of membership pupils in the district

or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the supplemental count day of the current fiscal year.

(d) If, for a particular fiscal year, the number of membership pupils in a district or public school academy who are determined under subdivision (a) to be economically disadvantaged or to be eligible based on the identified student percentage varies by more than 20 percentage points from the number of those pupils in the district or public school academy as calculated under subdivision (a) for the immediately preceding fiscal year caused by an egregious reporting error by the district or public school academy, the department may choose to have the calculations under subdivision (a) instead be made using the number of membership pupils in the district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the supplemental count day of the immediately preceding fiscal year.

(5) Except as otherwise provided in this section, a district or public school academy receiving funding under this section shall use that money only to provide instructional programs and direct noninstructional services, including, but not limited to, medical, mental health, or counseling services, for at-risk pupils; for school health clinics; and for the purposes of subsection (6), (7), or (8). In addition, a district that is a school district of the first class or a district or public school academy in which at least 50% of the pupils in membership were determined to be economically disadvantaged in the immediately preceding state fiscal year, as determined and reported as described in subsection (4), may use not more than 20% of the funds it receives under this section for school security that aligns to the needs assessment and the multi-tiered system of supports model. A district or public school academy shall not use any of that money for administrative costs. The instruction or direct noninstructional services provided under this section may be conducted before or after regular school hours or by adding extra school days to the school year.

(6) A district or public school academy that receives funds under this section and that operates a school breakfast program under section 1272a of the revised school code, MCL 380.1272a, shall use from the funds received under this section an amount, not to exceed $10.00 per pupil for whom the district or public school academy receives funds under this section, necessary to pay for costs associated with the operation of the school breakfast program.

(7) From the funds allocated under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $8,000,000.00 to support primary health care services provided to children and adolescents up to age 21. These funds must be expended in a form and manner determined jointly by the department and the department of health and human services. If any funds allocated under this subsection are not used for the purposes of this subsection for the fiscal year in which they are allocated, those unused funds must be used that fiscal year to avoid or minimize any proration that would otherwise be required under subsection (14) for that fiscal year.

(8) From the funds allocated under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $5,150,000.00 for the state portion of the hearing and vision screenings as described in section 9301 of the public health code, 1978 PA 368, MCL 333.9301. A local public health department shall pay at least 50% of the total cost of the screenings. The frequency of the screenings must be as required under R 325.13091 to R 325.13096 and R 325.3271 to R 325.3276 of the Michigan Administrative Code. Funds must be awarded in a form and manner approved jointly by the department and the department of health and human services. Notwithstanding section 17b, the department shall make payments to eligible entities under this subsection on a schedule determined by the department.

(9) Each district or public school academy receiving funds under this section shall submit to the department by July 15 of each fiscal year a report, in the form and manner prescribed by the department, that includes a brief description of each program conducted or services performed by the district or public school academy using funds under this section, the amount of funds under this section allocated to each of those programs or services, the total number of at risk pupils served by each of those programs or services, and the data necessary for the department and the department of health and human services to verify matching funds for the temporary assistance for needy families program. In prescribing the form and manner of the report, the department shall ensure that districts are allowed to expend funds received under this section on any activities that are permissible under this section. If a district or public school academy does not comply with this subsection, the department shall withhold an amount equal to the August payment due under this section until the district or public school academy complies with this subsection. If the district or public school academy does not comply with this subsection by the end of the fiscal year, the withheld funds are forfeited to the school aid fund.

(10) In order to receive funds under this section, a district or public school academy ~~shall~~ **must** allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The district or public school academy shall reimburse the state for all disallowances found in the audit.

(11) Subject to subsections (6), (7), and (8), for schools in which more than 40% of pupils are identified as at-risk, a district or public school academy may use the funds it receives under this section to implement tier 1, evidence-based practices in schoolwide reforms that are guided by the district's comprehensive needs assessment and are included in the district improvement plan. Schoolwide reforms must include parent and community supports, activities, and services, that may include the pathways to potential program created by the department of health and human services or the communities in schools program. As used in this subsection, "tier 1, evidence-based practices" means research based instruction and classroom interventions that are available to all learners and effectively meet the needs of most pupils.

(12) A district or public school academy that receives funds under this section may use up to 7.5% of those funds to provide research based professional development and to implement a coaching model that supports the multi-tiered system of supports framework. Professional development may be provided to district and school leadership and teachers and must be aligned to professional learning standards; integrated into district, school building, and classroom practices; and solely related to the following:

(a) Implementing the multi-tiered system of supports required in subsection (3) with fidelity and utilizing the data from that system to inform curriculum and instruction.

(b) Implementing section 1280f of the revised school code, MCL 380.1280f, as required under subsection (3), with fidelity.

(13) A district or public school academy that receives funds under this section may use funds received under this section to support instructional or behavioral coaches. Funds used for this purpose are not subject to the cap under subsection (12).

(14) If necessary, and before any proration required under section 296, the department shall prorate payments under this section, except payments under subsection (7), (8), or (16), by reducing the amount of the allocation as otherwise calculated under this section by an equal percentage per district.

(15) If a district is dissolved pursuant to section 12 of the revised school code, MCL 380.12, the intermediate district to which the dissolved ~~school~~ district was constituent shall determine the estimated number of pupils that are economically disadvantaged and that are enrolled in each of the other districts within the intermediate district and provide that estimate to the department for the purposes of distributing funds under this section within 60 days after the ~~school~~ district is declared dissolved.

(16) From the funds allocated under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $12,000,000.00 for payments to districts and public school academies that otherwise received an allocation under this subsection for ~~2018-2019~~ **2019-2020** and whose allocation under this section for ~~2018-2019,~~ **2019-2020,** excluding any payments under subsection (7) or (8), would have been more than the district's or public school academy's allocation under this section for ~~2019-2020~~ **2020-2021** as calculated under subsection (4) only and as adjusted under subsection (14). The allocation for each district or public school academy under this subsection is an amount equal to its allocation under this section for ~~2018-2019~~ **2019-2020** minus its allocation as otherwise calculated under subsection (4) for ~~2019-2020,~~ **2020-2021,** as adjusted by subsection (14), using in those calculations the 2017-2018 number of pupils determined to be economically disadvantaged. However, if the allocation as otherwise calculated under this subsection would have been less than $0.00, the allocation under this subsection is $0.00. If necessary, and before any proration required under section 296, the department shall prorate payments under this subsection by reducing the amount of the allocation as otherwise calculated under this subsection by an equal percentage per district or public school academy. **Any unexpended funds under this subsection are to be distributed through payments made under subsection (4) as provided under subsection (4), but those funds must not be factored into calculating payments under this subsection.**

(17) A district or public school academy that receives funds under this section may use funds received under this section to provide an anti-bullying or crisis intervention program.

(18) The department shall collaborate with the department of health and human services to prioritize assigning Pathways to Potential Success coaches to elementary schools that have a high percentage of pupils in grades K to 3 who are not proficient in English language arts, based upon state assessments for pupils in those grades.

(19) As used in this section:

(a) "At-risk pupil" means a pupil in grades K to 12 for whom the district has documentation that the pupil meets any of the following criteria:

(*i*) The pupil is economically disadvantaged.

(*ii*) The pupil is an English language learner.

(*iii*) The pupil is chronically absent as defined by and reported to the center.

(*iv*) The pupil is a victim of child abuse or neglect.

(*v*) The pupil is a pregnant teenager or teenage parent.

(*vi*) The pupil has a family history of school failure, incarceration, or substance abuse.

(*vii*) The pupil is an immigrant who has immigrated within the immediately preceding 3 years.

(*viii*) The pupil did not complete high school in 4 years and is still continuing in school as identified in the Michigan cohort graduation and dropout report.

(*ix*) For pupils for whom the results of the state summative assessment have been received, is a pupil who did not achieve proficiency on the English language arts, mathematics, science, or social studies content area assessment.

(*x*) Is a pupil who is at risk of not meeting the district's or public school academy's core academic curricular objectives in English language arts or mathematics, as demonstrated on local assessments.

(b) "Economically disadvantaged" means a pupil who has been determined eligible for free or reduced-price meals as determined under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j; who is in a household receiving supplemental nutrition assistance program or temporary assistance for needy families assistance; or who is homeless, migrant, or in foster care, as reported to the center.

(c) "English language learner" means limited English proficient pupils who speak a language other than English as their primary language and have difficulty speaking, reading, writing, or understanding English as reported to the center.

(d) "Statewide weighted average foundation allowance" means the number that is calculated by adding together the result of each district's or public school academy's foundation allowance, not to exceed the target foundation allowance for the current fiscal year, or per-pupil payment calculated under section 20 multiplied by the number of pupils in membership in that district or public school academy, and then dividing that total by the statewide number of pupils in membership.

Sec. 31d. (1) From the appropriations in section 11, there is allocated an amount not to exceed $23,144,000.00 for ~~2019-2020~~ **2020-2021** for the purpose of making payments to districts and other eligible entities under this section.

(2) The amounts allocated from state sources under this section are used to pay the amount necessary to reimburse districts for 6.0127% of the necessary costs of the state mandated portion of ~~the school~~ lunch programs provided by those districts. The department shall calculate the amount due to each district under this section using the methods of calculation adopted by the Michigan supreme court in the consolidated cases known as *Durant v State of Michigan*, 456 Mich 175 (1997).

(3) The payments made under this section include all state payments made to districts so that each district receives at least 6.0127% of the necessary costs of operating the state mandated portion of the ~~school~~ lunch program in a fiscal year.

(4) The payments made under this section to districts and other eligible entities that are not required under section 1272a of the revised school code, MCL 380.1272a, to provide a ~~school~~ lunch program must**, except for in 2020-2021,** be in an amount not to exceed $10.00 per eligible pupil plus 5 cents for each free lunch and 2 cents for each reduced price lunch provided, as determined by the department. **For 2020-2021 only, the amount described in this subsection is not to exceed $10.00 per eligible pupil plus 5 cents for each lunch provided, as determined by the department.**

(5) From the federal funds appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** all available federal funding, estimated at ~~$533,000,000.00~~ **$545,000,000.00** for ~~the national school lunch program~~ **child nutrition programs** and all available federal funding, estimated at ~~$4,200,000.00~~ **$5,000,000.00** for ~~the emergency food assistance program.~~**food distribution programs.**

(6) Notwithstanding section 17b, the department shall make payments to eligible entities other than districts under this section on a schedule determined by the department.

(7) In purchasing food for a ~~school~~ lunch program funded under this section, a district or other eligible entity shall give preference to food that is grown or produced by Michigan businesses if it is competitively priced and of comparable quality.

Sec. 31f. (1) From the appropriations in section 11, there is allocated an amount not to exceed $4,500,000.00 for ~~2019-2020~~ **2020-2021** for the purpose of making payments to districts to reimburse for the cost of providing breakfast.

(2) The funds allocated under this section for school breakfast programs are made available to all eligible applicant districts that meet all of the following criteria:

(a) The district participates in the federal school breakfast program and meets all standards as prescribed by 7 CFR parts **210,** 220**, 225, 226,** and 245.

(b) Each breakfast eligible for payment meets the federal standards described in subdivision (a).

(3) The payment for a district under this section is at a per meal rate equal to the lesser of the district's actual cost or 100% of the statewide average cost of a ~~breakfast~~ **meal** served, as determined and approved by the department, less federal reimbursement, participant payments, and other state reimbursement. The department shall determine the statewide average cost using costs as reported in a manner approved by the department for the preceding school year.

(4) Notwithstanding section 17b, the department may make payments under this section pursuant to an agreement with the department.

(5) In purchasing food for a school breakfast program funded under this section, a district shall give preference to food that is grown or produced by Michigan businesses if it is competitively priced and of comparable quality.

Sec. 31j. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed ~~$575,000.00~~ **$200,000.00 and from the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $1,800,000.00** for ~~2019-2020~~ **2020-2021** for a ~~project~~ **program** to support districts **and sponsors of child care centers** in the purchase of locally grown fruits and vegetables as described in this section.

(2) ~~The department shall provide funding in an amount equal to $125,000.00 per region to districts in prosperity regions 2, 4, 6, and 9 for the project described under this section. In addition, the department shall provide funding in an amount equal to $75,000.00 to districts in prosperity region 8 for the project described under this section. From the funding to districts in subsection (1), funding~~ **Funding** retained by ~~prosperity regions~~ **districts and the sponsors of child care centers** that administer the ~~project~~ **program** must not exceed 10%, and funding retained by the department for administration must not exceed 6%. A ~~prosperity region~~ **district or the sponsor of a child care center** may enter into a memorandum of understanding with the department or another ~~prosperity region,~~ **district or sponsor of a child care center,** or both, to administer the ~~project.~~ **program.** If the department administers the ~~project~~ **program** for a ~~prosperity region,~~ **district or the sponsor of a child care center,** the department may retain up to 10% of that ~~prosperity region's~~ **district's or sponsor's** funding for administration **or may distribute some or all of that 10% to project partners as appropriate**.

(3) The department shall develop and implement a competitive grant program for districts ~~within the identified prosperity regions~~ **and sponsors of child care centers** to assist in paying for the costs incurred by the district **or the sponsor of the child care center** to purchase or increase purchases of whole or minimally processed fruits, vegetables, and legumes grown in this state. The maximum amount that may be drawn down on a grant to a district ~~must be~~ **or the sponsor of a child care center is** based on the number of meals served by the ~~school~~ district during the previous school year under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j**, or meals served by the sponsor of the child care center in the previous school year**. The department shall collaborate with the Michigan department of agriculture and rural development to provide training to newly participating schools **and sponsors of child care centers** and electronic information on Michigan agriculture.

(4) The goals of the ~~project~~ **program under this section** include improving daily nutrition and eating habits for children through the school **and child care** settings while investing in Michigan's agricultural and related food business economy.

(5) A district **or the sponsor of a child care center** that receives a grant under this section shall use those funds for the costs incurred by the ~~school~~ district **or the sponsor** to purchase whole or minimally processed fruits, vegetables, and legumes that meet all of the following:

(a) Were purchased for the ~~2019-2020~~ **2020-2021** fiscal year, including purchases to launch meals in August ~~2019~~ **2020** and September ~~2019.~~**2020.**

(b) Are grown in this state and, if minimally processed, are also processed in this state.

(c) Are used for meals that are served as part of the United States Department of Agriculture's child nutrition programs.

(6) For Michigan-grown fruits, vegetables, and legumes that satisfy the requirements of subsection (5), **the department shall make** matching reimbursements ~~must be made~~ in an amount not to exceed 10 cents for every school meal that is served as part of the United States Department of Agriculture's child nutrition programs and that uses Michigan-grown fruits, vegetables, and legumes.

(7) A district **or the sponsor of a child care center** that receives a grant for reimbursement under this section shall use the grant to purchase whole or minimally processed fruits, vegetables, and legumes that are grown in this state and, if minimally processed, are also processed in this state.

(8) In awarding grants under this section, the department shall work in conjunction with ~~prosperity region offices,~~ **districts and sponsors of child care centers,** in consultation with Michigan-based farm to school resource organizations, to develop scoring criteria that assess an applicant's ability to procure Michigan-grown products, prepare and menu Michigan-grown products, promote and market Michigan-grown

products, and submit letters of intent from districts **or the sponsors of child care centers** on plans for educational activities that promote the goals of the program.

(9) The department shall give preference to districts **or sponsors of child care centers** that propose educational activities that meet 1 or more of the following: promote healthy food activities; have clear educational objectives; involve parents or the community; connect to a school's **or child care center's** farm-to-school **or farm-to-early-child-care** procurement activities; and market and promote the program, leading to increased pupil knowledge and consumption of Michigan-grown products. ~~Applications~~ **The department shall give stronger weighting and consideration to applications** with robust marketing and promotional activities**.** ~~shall receive stronger weighting and consideration.~~

(10) In awarding grants, the department shall also consider all of the following:

(a) The percentage of children who qualify for free or reduced price school meals under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j.

(b) The variety of school **or child care center** sizes and geographic locations within the identified prosperity regions.

(c) The existing or future collaboration opportunities between more than 1 district ~~in a prosperity region.~~**or child care center.**

(11) As a condition of receiving a grant under this section, a district or the sponsor of a child care center shall provide or direct its vendors to provide to the department copies of monthly receipts that show the quantity of different Michigan-grown fruits, vegetables, and legumes purchased, the amount of money spent on each of these products, the name and Michigan location of the farm that grew the products, and the methods or plans to market and promote the program. The district or the sponsor of a child care center also shall provide to the department monthly lunch numbers and lunch participation rates and calendars or monthly menus noting when and how Michigan-grown products were used in meals. The district or the sponsor of the child care center and school or child care center food service director or directors also shall agree to respond to brief online surveys and to provide a report that shows the percentage relationship of Michigan spending compared to total food spending. Not later than 60 days after the end of the school year in which funds under this section were received, each district or each sponsor of a child care center shall submit a report to the department on outcomes and related measurements for economic development and children's nutrition and readiness to learn. The report must include at least both of the following:

(a) The extent to which farmers and related businesses, including distributors and processors, saw an increase in market opportunities and income generation through sales of Michigan or local products to districts and sponsors of child care centers. All of the following apply for purposes of this subdivision:

(*i*) The data used to determine the amount of this increase are the total dollar amount of Michigan or local fruits, vegetables, and legumes purchased by schools and sponsors of child care centers, along with the number of different types of products purchased; school and child care center food purchasing trends identified along with products that are of new and growing interest among food service directors; the number of businesses impacted; and the percentage of total food budget spent on Michigan-grown fruits, vegetables, and legumes.

(*ii*) The district or the sponsor of a child care center shall use purchasing data collected for the program and surveys of school and child care food service directors on the impact and success of the program as the source for the data described in subparagraph (*i*).

(b) The ability to which pupils can access a variety of healthy Michigan-grown foods through schools and child care centers and increase their consumption of those foods. All of the following apply for purposes of this subdivision:

(*i*) The data used to determine whether this subdivision is met are the number of pupils exposed to Michigan-grown fruits, vegetables, and legumes at schools and child care centers; the variety of products served; new items taste-tested or placed on menus; and the increase in pupil willingness to try new local healthy foods.

(*ii*) The district or the sponsor of a child care center shall use purchasing data collected for the project, meal count and enrollment numbers, school menu calendars, and surveys of school and child care food service directors as the source for the data described in subparagraph (*i*).

(12) The department shall compile the reports provided by districts and sponsors of child care centers under subsection (11) into 1 legislative report. The department shall provide this report not later than November 1, 2021 to the house and senate subcommittees responsible for state school aid, the house and senate fiscal agencies, and the state budget director.

(13) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 31k. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2020-2021 only an amount not to exceed $1,000,000.00 for payments to eligible districts as described in this section.

(2) Subject to subsection (6), districts requesting funding under this section must apply in a form and manner prescribed by the department by not later than December 1, 2020. However, districts requesting funding under this section through a second application described in subsection (6) must apply in a form and manner prescribed by the department by not later than May 1, 2021.

(3) A district that demonstrates to the department that all outstanding student-meal debt has been forgiven is an eligible district under this section.

(4) Subject to subsection (9), the department shall provide payments to eligible districts in an amount necessary to reimburse the eligible districts for the cost of forgiving all outstanding student-meal debt.

(5) Notwithstanding section 17b, the department shall make reimbursement payments under subsection (4) to all eligible districts by not later than 60 days after December 1, 2020.

(6) Subject to subsection (9), if the amount paid to eligible districts under subsection (4) is less than the amount allocated under subsection (1), the department may distribute the remaining funds to eligible districts through a second application in an amount necessary to reimburse eligible districts for the cost of forgiving all outstanding student-meal debt. An eligible district receiving a reimbursement payment under subsection (4) is not eligible for a reimbursement payment through a second application under this subsection.

(7) Except as otherwise provided under subsection (6) and notwithstanding section 17b, the department shall make reimbursement payments under subsection (6) as provided under subsection (6) to all eligible districts by not later than 60 days after May 1, 2021.

(8) An eligible district receiving payments under this section shall adopt policies to prevent public identification or stigmatization of pupils who cannot pay for a school meal. These policies must prohibit all of the following:

(a) Requiring pupils who cannot pay for a school meal or who owe a student-meal debt to wear a wristband or handstamp.

(b) Requiring pupils who cannot pay for a school meal or who owe a student-meal debt to perform chores or other work to pay for school meals.

(c) Requiring a pupil to dispose of a meal after it has been served because the pupil is unable to pay for the meal or owes a student-meal debt.

(d) Communicating directly with a pupil about a student-meal debt unless the district has attempted to contact, but has been unsuccessful in communicating with, a pupil's parent or legal guardian through telephone, mail, and electronic mail.

(e) Discussing a pupil's student-meal debt in the presence of other pupils.

(9) If the amount allocated under this section is insufficient to fully reimburse the cost of student-meal debt forgiveness for all eligible districts, the department shall prorate the reimbursement on an equal percentage per district.

Sec. 31n. (1) From the **state school aid fund** money appropriated in section 11, there is allocated for 2019-2020 for the purposes of this section an amount not to exceed $30,000,000.00 and from the general fund money appropriated in section 11, there is allocated for 2019-2020 for the purposes of this section an amount not to exceed $1,300,000.00. **From the state school aid fund money appropriated in section 11, there is allocated for 2020-2021 for the purposes of this section an amount not to exceed $35,600,000.00 and from the general fund money appropriated in section 11, there is allocated for 2020-2021 for the purposes of this section an amount not to exceed $1,300,000.00.** The department and the department of health and human services shall continue a program to distribute this funding to add licensed behavioral health providers for general education pupils, and shall continue to seek federal Medicaid match funding for all eligible mental health and support services.

(2) The department and the department of health and human services shall maintain an advisory council for programs funded under this section. The advisory council shall define goals for implementation of programs funded under this section, and shall provide feedback on that implementation. At a minimum, the advisory council shall consist of representatives of state associations representing school health, school mental health, school counseling, education, health care, and other organizations, representatives from the department and the department of health and human services, and a representative from the school safety task force created under Executive Order No. 2018-5. The department and department of health and human services, working with the advisory council, shall determine an approach to increase capacity for mental health and support services in schools for general education pupils, and shall determine where that increase in capacity qualifies for federal Medicaid match funding.

(3) The advisory council shall develop a fiduciary agent checklist for intermediate districts to facilitate development of a plan to submit to the department and to the department of health and human services. The department and department of health and human services shall determine the requirements and format for intermediate districts to submit a plan for possible funding under subsection (5). The department shall make applications for funding for this program available to districts and intermediate districts not later than December 1, 2019, **for the 2019-2020 fiscal year and December 1, 2020 for the 2020-2021 fiscal year** and shall award the funding not later than February 1, 2020 **for the 2019-2020 fiscal year and February 1, 2021 for the 2020-2021 fiscal year**.

(4) The department of health and human services shall seek to amend the state Medicaid plan or obtain appropriate Medicaid waivers as necessary for the purpose of generating additional Medicaid match funding for school mental health and support services for general education pupils. The intent is that a successful state plan amendment or other Medicaid match mechanisms will result in additional federal Medicaid match funding for both the new funding allocated under this section and for any expenses already incurred by districts and intermediate districts for mental health and support services for general education pupils.

(5) From the ~~funds~~ **state school aid fund money** allocated under subsection (1), there is allocated for 2019-2020 an amount not to exceed $6,500,000.00 **and there is allocated for 2020-2021 an amount not to exceed $9,300,000.00** to be distributed to the network of child and adolescent health centers to place a licensed master's level behavioral health provider in schools that do not currently have services available to general education students. ~~Existing child~~ **Child** and adolescent health centers ~~receiving funding under this subsection~~ **that are part of the network described in this subsection** shall provide a commitment to maintain services and implement all available federal Medicaid match methodologies. The department of health and human services shall use all existing or additional federal Medicaid match opportunities to maximize funding allocated under this subsection. The department shall provide funds under this subsection to ~~existing~~ child and adolescent health centers **that are part of the network described in this subsection** in the same proportion that funding under section 31a(7) is provided to child and adolescent health centers **that are part of the network described in this subsection and that are** located and operating in those districts. **A payment from funding allocated under this subsection must not be paid to an entity that is not part of the network described in this subsection.**

(6) From the ~~funds~~ **state school aid fund money** allocated under subsection (1), there is allocated for 2019-2020 an amount not to exceed $23,000,000.00 **and there is allocated for 2020-2021 an amount not to exceed $25,800,000.00** to be distributed to intermediate districts for the provision of mental health and support services to general education students. From the funds allocated under this subsection, the department shall distribute $410,700.00 **for 2019-2020 and $460,700.00 for 2020-2021** to each intermediate district that submits a plan approved by the department and the department of health and human services. The department and department of health and human services shall work cooperatively in providing oversight and assistance to intermediate districts during the plan submission process and shall monitor the program upon implementation. An intermediate district shall use funds awarded under this subsection to provide funding to its constituent districts, including public school academies that are considered to be constituent districts under section 705(7) of the revised school code, MCL 380.705, for the provision of mental health and support services to general education students. In addition to the criteria identified under subsection (7), an intermediate district shall consider geography, cost, or other challenges when awarding funding to its constituent districts. If funding awarded to an intermediate district remains after funds are provided by the intermediate district to its constituent districts, the intermediate district may hire or contract for experts to provide mental health and support services to general education students residing within the boundaries of the intermediate district**, including, but not limited to, expanding, hiring, or contracting for staff and experts to provide those services directly or to increase access to those services through coordination with outside mental health agencies**.

(7) A district requesting funds under this section from the intermediate district in which it is located shall submit an application for funding for the provision of mental health and support services to general education pupils. A district receiving funding from the application process described in this subsection shall provide services to nonpublic students upon request. An intermediate district shall not discriminate against an application submitted by a public school academy simply on the basis of the applicant being a public school academy. The department shall approve grant applications based on the following criteria:

(a) The district's commitment to maintain mental health and support services delivered by licensed providers into future fiscal years.

(b) The district's commitment to work with its intermediate district to use funding it receives under this section that is spent by the district for general education pupils toward participation in federal Medicaid match methodologies. A district must provide a local match of at least 20% of the funding allocated to the district under section 31n.

(c) The district's commitment to adhere to any local funding requirements determined by the department and the department of health and human services.

(d) The extent of the district's existing partnerships with community health care providers or the ability of the district to establish such partnerships.

(e) The district's documentation of need, including gaps in current mental health and support services for the general education population.

(f) The district's submission of a formal plan of action identifying the number of schools and students to be served.

(g) Whether the district will participate in ongoing trainings.

(h) Whether the district will submit an annual report to the state.

(i) Whether the district demonstrates a willingness to work with the state to establish program and service delivery benchmarks.

(j) Whether the district has developed a school safety plan or is in the process of developing a school safety plan.

(k) Any other requirements determined by the department or the department of health and human services.

(8) Funding under this section, including any federal Medicaid funds that are generated, must not be used to supplant existing services.

(9) Both of the following are allocated ~~for 2019-2020~~ to the department of health and human services from the general fund money allocated under subsection (1):

(a) ~~An~~ **For 2019-2020, an** amount not to exceed $1,000,000.00 **and for 2020-2021, an amount not to exceed $1,000,000.00** for the purpose of upgrading technology and systems infrastructure and other administrative requirements to support the programs funded under this section.

(b) ~~An~~ **For 2019-2020, an** amount not to exceed $300,000.00 **and for 2020-2021, an amount not to exceed $300,000.00** for the purpose of administering the programs under this section and working on generating additional Medicaid funds as a result of programs funded under this section.

(10) From the ~~funds~~ **state school aid fund money** allocated under subsection (1), there is allocated for 2019-2020 an amount not to exceed $500,000.00 **and there is allocated for 2020-2021 an amount not to exceed $500,000.00** to intermediate districts on an equal per intermediate district basis for the purpose of administering programs funded under this section.

(11) The department and the department of health and human services shall work with the advisory council to develop proposed measurements of outcomes and performance. Those measurements ~~shall~~ **must** include, at a minimum, the number of pupils served, the number of schools served, and where those pupils and schools were located. The department and the department of health and human services shall compile data necessary to measure outcomes and performance, and districts and intermediate districts receiving funding under this section shall provide data requested by the department and department of health and human services for the measurement of outcomes and performance. The department and department of health and human services shall provide ~~a~~ **an annual** report not later than ~~December 1, 2019 and by~~ December 1 ~~annually thereafter~~ **of each year** to the house and senate appropriations subcommittees on **state** school aid and health and human services, ~~and~~ to the house and senate fiscal agencies**, and to the state budget director**. At a minimum, the report must include measurements of outcomes and performance, proposals to increase efficacy and usefulness, proposals to increase performance, and proposals to expand coverage.

(12) Beginning with 2018-2019, a district or intermediate district that receives funding directly or indirectly under this section may carry over any unexpended funds received under this section for up to 2 fiscal years beyond the fiscal year in which the funds were received.

Sec. 32d. (1) From the funds appropriated in section 11, there is allocated to eligible intermediate districts and consortia of intermediate districts for great start readiness programs an amount not to exceed $249,600,000.00 for ~~2019-2020.~~ **2020-2021.** An intermediate district or consortium shall use funds allocated under this section for great start readiness programs to provide part-day, school-day, or GSRP/Head Start blended comprehensive free compensatory classroom programs designed to improve the readiness and subsequent achievement of educationally disadvantaged children who meet the participant eligibility and prioritization guidelines as defined by the department. For a child to be eligible to participate in a program under this section, the child must be at least 4, but less than 5, years of age as of September 1 of the school year in which the program is offered and must meet those eligibility and prioritization guidelines. A child who is not 4 years of age as of September 1, but who will be 4 years of age not later than December 1, is eligible to participate if the child's parent or legal guardian seeks a waiver from the September 1 eligibility date by submitting a request for enrollment in a program to the responsible intermediate district, if the program has capacity on or after September 1 of the school year, and if the child meets eligibility and prioritization guidelines.

(2) From the funds allocated under subsection (1), an amount not to exceed $247,600,000.00 is allocated to intermediate districts or consortia of intermediate districts based on the formula in section 39. An intermediate district or consortium of intermediate districts receiving funding under this section shall act as the fiduciary for the great start readiness programs. In order to be eligible to receive funds allocated under this subsection from an intermediate district or consortium of intermediate districts, a district, a consortium of districts, or a public or private for-profit or nonprofit legal entity or agency ~~shall~~ **must** comply with this section and section 39.

(3) In addition to the allocation under subsection (1), from the general fund money appropriated under section 11, there is allocated an amount not to exceed $350,000.00 for ~~2019-2020~~ **2020-2021** for a competitive grant to continue a longitudinal evaluation of children who have participated in great start readiness programs. This evaluation must include**, to the extent, for 2020-2021, that data from the kindergarten readiness assessment are available,** a comparative analysis of the relationship between great start readiness programs and performance on the kindergarten readiness assessment funded under section 104. The evaluation must use children wait-listed under this section for comparison, must include a determination of the specific great start readiness program in which the kindergarten students were enrolled and attended in the previous school year, and must**, to the extent, for 2020-2021, that data from the Michigan kindergarten entry observation tool are available,** analyze Michigan kindergarten entry observation tool scores for students taking the Michigan kindergarten entry observation tool each year and produce a report as required under section 104. ~~For 2019-2020, the performance data on the kindergarten readiness assessment must be submitted to the center at the same time as the spring Michigan student data system collection. Beginning in 2020-2021, the~~ **The** performance data on the kindergarten readiness assessment must be submitted to the center at the same time as the fall Michigan student data system collection. The responsibility for the analysis required under this subsection may be added to the requirements that the department currently has with its competitively designated current grantee.

(4) To be eligible for funding under this section, a program must prepare children for success in school through comprehensive part-day, school-day, or GSRP/Head Start blended programs that contain all of the following program components, as determined by the department:

(a) Participation in a collaborative recruitment and enrollment process to assure that each child is enrolled in the program most appropriate to his or her needs and to maximize the use of federal, state, and local funds.

(b) An age-appropriate educational curriculum that is in compliance with the early childhood standards of quality for prekindergarten children adopted by the state board, including, at least, the Connect4Learning curriculum.

(c) Nutritional services for all program participants supported by federal, state, and local resources as applicable.

(d) Physical and dental health and developmental screening services for all program participants.

(e) Referral services for families of program participants to community social service agencies, including mental health services, as appropriate.

(f) Active and continuous involvement of the parents or guardians of the program participants.

(g) A plan to conduct and report annual great start readiness program evaluations and continuous improvement plans using criteria approved by the department.

(h) Participation in a school readiness advisory committee convened as a workgroup of the great start collaborative that provides for the involvement of classroom teachers, parents or guardians of program participants, and community, volunteer, and social service agencies and organizations, as appropriate. The advisory committee annually shall review and make recommendations regarding the program components listed in this subsection. The advisory committee also shall make recommendations to the great start collaborative regarding other community services designed to improve all children's school readiness.

(i) The ongoing articulation of the kindergarten and first grade programs offered by the program provider.

(j) Participation in this state's great start to quality process with a rating of at least 3 stars.

(5) An application for funding under this section must provide for the following, in a form and manner determined by the department:

(a) Ensure compliance with all program components described in subsection (4).

(b) Except as otherwise provided in this subdivision **or section**, ensure that at least 90% of the children participating in an eligible great start readiness program for whom the intermediate district is receiving funds under this section are children who live with families with a household income that is equal to or less than 250% of the federal poverty guidelines. If the intermediate district determines that all eligible children are being served and that there are no children on the waiting list who live with families with a household income that is equal to or less than 250% of the federal poverty guidelines, the intermediate district may then enroll children who live with families with a household income that is equal to or less than 300% of the federal

poverty guidelines. The enrollment process must consider income and risk factors, such that children determined with higher need are enrolled before children with lesser need. For purposes of this subdivision **and subsection (27)**, all age-eligible children served in foster care or who are experiencing homelessness or who have individualized education programs recommending placement in an inclusive preschool setting are considered to live with families with household income equal to or less than 250% of the federal poverty guidelines regardless of actual family income and are prioritized for enrollment within the lowest quintile.

(c) Ensure that the applicant only uses qualified personnel for this program, as follows:

(*i*) Teachers possessing proper training. A lead teacher must have a valid teaching certificate with an early childhood (ZA or ZS) endorsement or a bachelor's or higher degree in child development or early childhood education with specialization in preschool teaching. However, if an applicant demonstrates to the department that it is unable to fully comply with this subparagraph after making reasonable efforts to comply, teachers who have significant but incomplete training in early childhood education or child development may be used if the applicant provides to the department, and the department approves, a plan for each teacher to come into compliance with the standards in this subparagraph. A teacher's compliance plan must be completed within 2 years of the date of employment. Progress toward completion of the compliance plan consists of at least 2 courses per calendar year.

(*ii*) Paraprofessionals possessing proper training in early childhood education, including an associate's degree in early childhood education or child development or the equivalent, or a child development associate (CDA) credential. However, if an applicant demonstrates to the department that it is unable to fully comply with this subparagraph after making reasonable efforts to comply, the applicant may use paraprofessionals who have completed at least 1 course that earns college credit in early childhood education or child development if the applicant provides to the department, and the department approves, a plan for each paraprofessional to come into compliance with the standards in this subparagraph. A paraprofessional's compliance plan must be completed within 2 years of the date of employment. Progress toward completion of the compliance plan consists of at least 2 courses or 60 clock hours of training per calendar year.

(d) Include a program budget that contains only those costs that are not reimbursed or reimbursable by federal funding, that are clearly and directly attributable to the great start readiness program, and that would not be incurred if the program were not being offered. Eligible costs include transportation costs. The program budget must indicate the extent to which these funds will supplement other federal, state, local, or private funds. An applicant shall not use funds received under this section to supplant any federal funds received by the applicant to serve children eligible for a federally funded preschool program that has the capacity to serve those children.

(6) For a grant recipient that enrolls pupils in a school-day program funded under this section, each child enrolled in the school-day program is counted as described in section 39 for purposes of determining the amount of the grant award.

(7) For a grant recipient that enrolls pupils in a GSRP/Head Start blended program, the grant recipient shall ensure that all Head Start and GSRP policies and regulations are applied to the blended slots, with adherence to the highest standard from either program, to the extent allowable under federal law.

(8) An intermediate district or consortium of intermediate districts receiving a grant under this section shall designate an early childhood coordinator, and may provide services directly or may contract with 1 or more districts or public or private for-profit or nonprofit providers that**, except as otherwise provided in this section,** meet all requirements of subsections (4) and (5).

(9) An intermediate district or consortium of intermediate districts may retain for administrative services provided by the intermediate district or consortium of intermediate districts an amount not to exceed 4% of the grant amount. Expenses incurred by subrecipients engaged by the intermediate district or consortium of intermediate districts for directly running portions of the program are considered program costs or a contracted program fee for service. Subrecipients operating with a federally approved indirect rate for other early childhood programs may include indirect costs, not to exceed the federal 10% de minimis.

(10) An intermediate district or consortium of intermediate districts may expend not more than 2% of the total grant amount for outreach, recruiting, and public awareness of the program.

(11) ~~Each~~ **Except as otherwise provided in this section, each** grant recipient shall enroll children identified under subsection (5)(b) according to how far the child's household income is below 250% of the federal poverty guidelines by ranking each applicant child's household income from lowest to highest and dividing the applicant children into quintiles based on how far the child's household income is below 250% of the federal poverty guidelines, and then enrolling children in the quintile with the lowest household income before enrolling children in the quintile with the next lowest household income until slots are completely filled. If the grant recipient determines that all eligible children are being served and that there are no children on the waiting list who live with families with a household income that is equal to or less

than 250% of the federal poverty guidelines, the grant recipient may then enroll children who live with families with a household income that is equal to or less than 300% of the federal poverty guidelines. The enrollment process must consider income and risk factors, such that children determined with higher need are enrolled before children with lesser need. For purposes of this subsection **and subsection (27)**, all age-eligible children served in foster care or who are experiencing homelessness or who have individualized education programs recommending placement in an inclusive preschool setting are considered to live with families with household income equal to or less than 250% of the federal poverty guidelines regardless of actual family income and are prioritized for enrollment within the lowest quintile.

(12) An intermediate district or consortium of intermediate districts receiving a grant under this section shall allow parents of eligible children who are residents of the intermediate district or within the consortium to choose a program operated by or contracted with another intermediate district or consortium of intermediate districts and shall enter into a written agreement regarding payment, in a manner prescribed by the department.

(13) An intermediate district or consortium of intermediate districts receiving a grant under this section shall conduct a local process to contract with interested and eligible public and private for-profit and nonprofit community-based providers that meet all requirements of subsection (4) for at least 30% of its total allocation. For the purposes of this 30% allocation, an intermediate district or consortium of intermediate districts may count children served by a Head Start grantee or delegate in a blended Head Start and great start readiness school-day program. Children served in a program funded only through Head Start are not counted toward this 30% allocation. The intermediate district or consortium shall report to the department, in a manner prescribed by the department, a detailed list of community-based providers by provider type, including private for-profit, private nonprofit, community college or university, Head Start grantee or delegate, and district or intermediate district, and the number and proportion of its total allocation allocated to each provider as subrecipient. If the intermediate district or consortium is not able to contract for at least 30% of its total allocation, the grant recipient shall notify the department and, if the department verifies that the intermediate district or consortium attempted to contract for at least 30% of its total allocation and was not able to do so, then the intermediate district or consortium may retain and use all of its allocation as provided under this section. To be able to use this exemption, the intermediate district or consortium shall demonstrate to the department that the intermediate district or consortium increased the percentage of its total allocation for which it contracts with a community-based provider and the intermediate district or consortium shall submit evidence satisfactory to the department, and the department must be able to verify this evidence, demonstrating that the intermediate district or consortium took measures to contract for at least 30% of its total allocation as required under this subsection, including, but not limited to, at least all of the following measures:

(a) The intermediate district or consortium notified each nonparticipating licensed child care center located in the service area of the intermediate district or consortium regarding the center's eligibility to participate, in a manner prescribed by the department.

(b) The intermediate district or consortium provided to each nonparticipating licensed child care center located in the service area of the intermediate district or consortium information regarding great start readiness program requirements and a description of the application and selection process for community-based providers.

(c) The intermediate district or consortium provided to the public and to participating families a list of community-based great start readiness program subrecipients with a great start to quality rating of at least 3 stars.

(14) If an intermediate district or consortium of intermediate districts receiving a grant under this section fails to submit satisfactory evidence to demonstrate its effort to contract for at least 30% of its total allocation, as required under subsection (13), the department shall reduce the allocation to the intermediate district or consortium by a percentage equal to the difference between the percentage of an intermediate district's or consortium's total allocation awarded to community-based providers and 30% of its total allocation.

(15) In order to assist intermediate districts and consortia in complying with the requirement to contract with community-based providers for at least 30% of their total allocation, the department shall do all of the following:

(a) Ensure that a great start resource center or the department provides each intermediate district or consortium receiving a grant under this section with the contact information for each licensed child care center located in the service area of the intermediate district or consortium by March 1 of each year.

(b) Provide, or ensure that an organization with which the department contracts provides, a community-based provider with a validated great start to quality rating within 90 days of the provider's having submitted a request and self-assessment.

(c) Ensure that all intermediate district, district, community college or university, Head Start grantee or delegate, private for-profit, and private nonprofit providers are subject to a single great start to quality rating system. The rating system must ensure that regulators process all prospective providers at the same pace on a first-come, first-served basis and must not allow 1 type of provider to receive a great start to quality rating ahead of any other type of provider.

(d) Not later than ~~December~~ **March** 1 of each year, compile the results of the information reported by each intermediate district or consortium under subsection (13) and report to the legislature a list by intermediate district or consortium with the number and percentage of each intermediate district's or consortium's total allocation allocated to community-based providers by provider type, including private for-profit, private nonprofit, community college or university, Head Start grantee or delegate, and district or intermediate district.

(16) A recipient of funds under this section shall report to the center in a form and manner prescribed by the center the information necessary to derive the number of children participating in the program who meet the program eligibility criteria under subsection (5)(b)**, subject to subsection (27)**, the number of eligible children not participating in the program and on a waitlist, and the total number of children participating in the program by various demographic groups and eligibility factors necessary to analyze equitable and priority access to services for the purposes of subsection (3).

(17) As used in this section:

(a) "GSRP/Head Start blended program"**, except as otherwise provided in this section,** means a part-day program funded under this section and a Head Start program, which are combined for a school-day program.

(b) "Federal poverty guidelines" means the guidelines published annually in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902.

(c) "Part-day program"**, except as otherwise provided in this section,** means a program that operates at least 4 days per week, 30 weeks per year, for at least 3 hours of teacher-child contact time per day but for fewer hours of teacher-child contact time per day than a school-day program.

(d) "School-day program"**, except as otherwise provided in this section,** means a program that operates for at least the same length of day as a district's first grade program for a minimum of 4 days per week, 30 weeks per year. A classroom that offers a school-day program must enroll all children for the school day to be considered a school-day program.

(18) An intermediate district or consortium of intermediate districts receiving funds under this section shall establish and charge tuition according to a sliding scale of tuition rates based upon household income for children participating in an eligible great start readiness program who live with families with a household income that is more than 250%**, but, for 2020-2021 only, who live with families with a household income that is more than 400%** of the federal poverty guidelines to be used by all of its providers, as approved by the department.

(19) From the amount allocated in subsection (2), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $10,000,000.00 for reimbursement of transportation costs for children attending great start readiness programs funded under this section. To receive reimbursement under this subsection, not later than November 1 ~~,~~ of each year, a program funded under this section that provides transportation shall submit to the intermediate district that is the fiscal agent for the program a projected transportation budget. The amount of the reimbursement for transportation under this subsection is no more than the projected transportation budget or $300.00 multiplied by the number of children funded for the program under this section. If the amount allocated under this subsection is insufficient to fully reimburse the transportation costs for all programs that provide transportation and submit the required information, the department shall prorate the reimbursement in an equal amount per child funded. The department shall make payments to the intermediate district that is the fiscal agent for each program, and the intermediate district shall then reimburse the program provider for transportation costs as prescribed under this subsection.

(20) Subject to, and from the funds allocated under, subsection (19), the department shall reimburse a program for transportation costs related to parent- or guardian-accompanied transportation provided by transportation service companies, buses, or other public transportation services. To be eligible for reimbursement under this subsection, a program must submit to the intermediate district or consortia of intermediate districts all of the following:

(a) The names of families provided with transportation support along with a documented reason for the need for transportation support and the type of transportation provided.

(b) Financial documentation of actual transportation costs incurred by the program, including, but not limited to, receipts and mileage reports, as determined by the department.

(c) Any other documentation or information determined necessary by the department.

(21) The department shall implement a process to review and approve age-appropriate comprehensive classroom level quality assessments for GSRP grantees that support the early childhood standards of quality for prekindergarten children adopted by the state board. The department shall make available to intermediate districts at least 2 classroom level quality assessments that were approved in 2018.

(22) An intermediate district that is a GSRP grantee may approve the use of a supplemental curriculum that aligns with and enhances the age-appropriate educational curriculum in the classroom. If the department objects to the use of a supplemental curriculum approved by an intermediate district, the superintendent shall establish a review committee independent of the department. The review committee shall meet within 60 days of the department registering its objection in writing and provide a final determination on the validity of the objection within 60 days of the review committee's first meeting.

(23) The department shall implement a process to evaluate and approve age-appropriate educational curricula that are in compliance with the early childhood standards of quality for prekindergarten children adopted by the state board.

(24) From the funds allocated under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $2,000,000.00 for payments to intermediate districts or consortia of intermediate districts for professional development and training materials for educators in programs implementing new curricula.

(25) A great start readiness program or a GSRP/Head Start blended program funded under this section is permitted to utilize AmeriCorps Pre-K Reading Corps members in classrooms implementing research-based early literacy intervention strategies.

(26) For the 2020-2021 program year only, the hours, days, and weeks specified within the definitions under subsection (17)(a), (c), and (d) do not apply to all grantees and subrecipients under this section. However, for the 2020-2021 fiscal year only, grantees and subrecipients shall, at a minimum, provide pandemic learning and programming on-site, at a different location, in-person, online, digitally, by other remote means, in a synchronous or asynchronous format, or through any combination therein that results in an amount of hours, days, and weeks necessary to deliver the educational or course content that would have been delivered in a year in which pandemic learning was not provided and that complies with requirements developed by the department. The department shall publish uniform guidance concerning requirements under this subsection for age-appropriate instruction that is provided online, digitally, or by other remote means as part of pandemic learning and programming provided under this subsection. As used in this subsection, "pandemic learning" means a mode of instruction provided as a result of the COVID-19 pandemic.

(27) For the 2020-2021 program year only, household income eligibility thresholds requiring household incomes that are equal to or less than 250% of the federal poverty guidelines under subsections (5)(b) and (11) do not apply for all grantees and subrecipients under this section. However, for the 2020-2021 program year, all grantees and subrecipients must continue to enroll children in the quintile with the lowest household income first before enrolling the next quintile and must implement the ranking process described in subsection (11) by first enrolling children from households with incomes that are equal to or less than 250% of the federal poverty guidelines, then enrolling children from households with incomes that are equal to an amount that is greater than 250% but less than or equal to 300% of the federal poverty guidelines, then enrolling children from households with incomes equal to an amount that is greater than 300% but less than or equal to 350% of the federal poverty guidelines, and then continuing enrollment in an order increasing in percentage from a percentage greater than 350% in relation to the federal poverty guidelines until all available slots are filled.

(28) For the 2020-2021 program year only, intermediate districts will be awarded funding based on the total allocation under subsection (1) and the funding must be allocated to intermediate districts as prescribed under section 39. To receive funding as described in this subsection, an intermediate district must complete the department's process for accepting funds and implement its existing local process for funding current subrecipients under this section, including, but not limited to, adding any necessary new subrecipients and implementation of the program. Intermediate districts described in this subsection must report the children served under this section to the center for data-tracking purposes. The data described in this subsection must not be used to determine funding for the 2020-2021 program year or hold harmless funding levels for 2021-2022. Hold harmless funding for 2021-2022 must be determined based on the 2019-2020 final allocations under this section. Both of the following apply for the 2020-2021 program year:

(a) An intermediate district and its subrecipients under this section must conform to typical expenditures related to the operation of great start readiness programs to ensure the stability of the programs, including, but not limited to, ongoing program and staff costs.

(b) Funding remaining after serving all eligible children, in accordance with subsections (5)(b) and (11), subject to subsection (27), or remaining from other program savings due to pandemic learning must be used for the betterment of the program under this section and must be approved by the department. Intermediate districts and subrecipients under this section may only spend in accordance with the provisions of this subdivision if the intermediate district or subrecipient has demonstrated to the satisfaction of the department that no eligible children are on waitlists for the programs operated by the intermediate district or subrecipients under this section.

Sec. 32p. (1) From the appropriation in section 11, there is allocated an amount not to exceed $13,400,000.00 to intermediate districts for ~~2019-2020~~ **2020-2021** for the purpose of providing early childhood funding to intermediate ~~school~~ districts to support the ~~activities~~ **goals and outcomes** under subsection (2) and subsection (4), and to provide early childhood programs for children from birth through age 8. The funding provided to each intermediate district under this section is determined by the distribution formula established by the department's office of great start to provide equitable funding statewide. In order to receive funding under this section, each intermediate district ~~shall~~ **must** provide an application to the office of great start not later than September 15 of the immediately preceding fiscal year indicating the ~~activities~~ **strategies** planned to be provided.

(2) Each intermediate district or consortium of intermediate districts that receives funding under this section shall convene a local great start collaborative and a parent coalition. The goal of each great start collaborative and parent coalition is to ensure the coordination and expansion of local early childhood infrastructure and programs that allow every child in the community to achieve the following outcomes:

(a) Children born healthy.

(b) Children healthy, thriving, and developmentally on track from birth to third grade.

(c) Children developmentally ready to succeed in school at the time of school entry.

(d) Children prepared to succeed in fourth grade and beyond by reading proficiently by the end of third grade.

(3) Each local great start collaborative and parent coalition shall convene workgroups to make recommendations about community services designed to achieve the outcomes described in subsection (2) and to ensure that its local great start system includes the following supports for children from birth through age 8:

(a) Physical health.

(b) Social-emotional health.

(c) Family supports and basic needs.

(d) Parent education.

(e) Early education, including the child's development of skills linked to success in foundational literacy, and care.

(4) From the funds allocated in subsection (1), at least $2,500,000.00 must be used for the purpose of providing home visits to at-risk children and their families. The home visits must be conducted as part of a locally coordinated, family-centered, evidence-based, data-driven home visit strategic plan that is approved by the department. The goals of the home visits funded under this subsection are to improve school readiness using evidence-based methods, including a focus on developmentally appropriate outcomes for early literacy, ~~to reduce the number of pupils retained in grade level, to reduce the number of pupils requiring special education services,~~ to improve positive parenting practices, and to improve family economic self-sufficiency while reducing the impact of high-risk factors through community resources and referrals. The department shall coordinate the goals of the home visit strategic plans approved under this subsection with other state agency home visit programs in a way that strengthens Michigan's home visiting infrastructure and maximizes federal funds available for the purposes of at-risk family home visits. The coordination among departments and agencies is intended to avoid duplication of state services and spending, and should emphasize efficient service delivery of home visiting programs.

(5) Not later than December 1 of each year, each intermediate district shall provide a report to the department detailing the ~~activities~~ **strategies** actually ~~provided~~ **implemented** during the immediately preceding school year and the families and children actually served. At a minimum, the report must include an evaluation of the services provided with additional funding under subsection (4) for home visits, using the goals identified in subsection (4) as the basis for the evaluation, including the degree to which school readiness was improved, ~~any change in the number of pupils retained at grade level, any change in the number of pupils receiving special education services,~~ the degree to which positive parenting practices were improved, the degree to which there was improved family economic self-sufficiency, and the degree to which community resources and referrals were utilized. The department shall compile and summarize these reports and submit its summary to the house and senate appropriations subcommittees on school aid and to the house and senate fiscal agencies not later than February 15 of each year.

(6) An intermediate district or consortium of intermediate districts that receives funding under this section may carry over any unexpended funds received under this section into the next fiscal year and may expend those unused funds through June 30 of the next fiscal year. **However, an intermediate district or consortium of intermediate districts that receives funding for the purposes described in subsection (2) in fiscal year 2020-2021 shall not carry over into the next fiscal year any amount exceeding 30% of the amount awarded to the intermediate district or consortium in the 2020-2021 fiscal year. It is intended that the amount carried over from funding awarded for the purposes described in subsection (2) in fiscal year 2021-2022 not exceed 20% of the amount awarded in that fiscal year and the amount carried over from funding awarded for the purposes described in subsection (2) in fiscal year 2022-2023 not exceed 15% of the amount awarded in that fiscal year.** A recipient of a grant shall return any unexpended grant funds to the department in the manner prescribed by the department not later than September 30 of the next fiscal year after the fiscal year in which the funds are received.

Sec. 35a. (1) From the appropriations in section 11, there is allocated for ~~2019-2020~~ **2020-2021** for the purposes of this section an amount not to exceed ~~$57,400,000.00~~ **$55,400,000.00** from the state school aid fund **and there is allocated for 2020-2021 for the purposes of subsection (8) an amount not to exceed $2,773,000.00 from the general fund**. The superintendent shall designate staff or contracted employees funded under this section as critical shortage. Programs funded under this section are intended to ensure that this state will be a top 10 state in grade 4 reading proficiency by 2025 according to the National Assessment of Educational Progress (NAEP).

(2) A district that receives funds under subsection (5) may spend up to 5% of those funds for professional development for educators in a department-approved research-based training program related to current state literacy standards for pupils in grades ~~K~~ **pre-K** to 3. The professional development must also include training in the use of screening and diagnostic tools, progress monitoring, and intervention methods used to address barriers to learning and delays in learning that are diagnosed through the use of these tools.

(3) A district that receives funds under subsection (5) may use up to 5% of those funds to administer department-approved screening and diagnostic tools to monitor the development of early literacy and early reading skills of pupils in grades ~~K~~ **pre-K** to 3 and to support research-based professional development for educators in administering screening and diagnostic tools and in data interpretation of the results obtained through the use of those tools for the purpose of implementing a multi-tiered system of support to improve reading proficiency among pupils in grades ~~K~~ **pre-K** to 3. A department-approved screening and diagnostic tool administered by a district using funding under this section must include all of the following components: phonemic awareness, phonics, fluency, and comprehension. Further, all of the following sub-skills must be assessed within each of these components:

(a) Phonemic awareness - segmentation, blending, and sound manipulation (deletion and substitution).

(b) Phonics - decoding (reading) and encoding (spelling).

(c) Fluency - reading rate, accuracy, and expression.

(d) Comprehension - making meaning of text.

(4) From the allocation under subsection (1), there is allocated an amount not to exceed $31,500,000.00 for ~~2019-2020~~ **2020-2021** for the purpose of providing early literacy coaches at intermediate districts to assist teachers in developing and implementing instructional strategies for pupils in grades ~~K~~ **pre-K** to 3 so that pupils are reading at grade level by the end of grade 3. All of the following apply to funding under this subsection:

(a) The department shall develop an application process consistent with the provisions of this subsection. An application must provide assurances that literacy coaches funded under this subsection are knowledgeable about at least the following:

(*i*) Current state literacy standards for pupils in grades ~~K~~ **pre-K** to 3.

(*ii*) Implementing an instructional delivery model based on frequent use of formative, screening, and diagnostic tools, known as a multi-tiered system of support, to determine individual progress for pupils in grades ~~K~~ **pre-K** to 3 so that pupils are reading at grade level by the end of grade 3.

(*iii*) The use of data from diagnostic tools to determine the necessary additional supports and interventions needed by individual pupils in grades ~~K~~ **pre-K** to 3 in order to be reading at grade level.

(b) From the allocation under this subsection, the department shall award grants to intermediate districts for the support of early literacy coaches. The department shall provide this funding in the following manner:

(*i*) The department shall award each intermediate district grant funding to support the cost of 1 early literacy coach in an equal amount per early literacy coach, not to exceed $112,500.00.

(*ii*) After distribution of the grant funding under subparagraph (*i*), the department shall distribute the remainder of grant funding for additional early literacy coaches in an amount not to exceed $112,500.00 per early literacy coach. The number of funded early literacy coaches for each intermediate district is based on the percentage of the total statewide number of pupils in grades K to 3 who meet the income eligibility standards for the federal free and reduced-price lunch programs who are enrolled in districts in the intermediate district.

(c) If an intermediate district that receives funding under this subsection uses an assessment tool that screens for signs of dyslexia, the intermediate district shall use the assessment results from that assessment tool to identify pupils who demonstrate signs of dyslexia.

(5) From the allocation under subsection (1), there is allocated an amount not to exceed $19,900,000.00 for ~~2019-2020~~ **2020-2021** to districts that provide additional instructional time to those pupils in grades ~~K~~ **pre-K** to 3**, or, for 2020-2021 only, those pupils in grades pre-K to 12,** who have been identified by using department-approved screening and diagnostic tools as needing additional supports and interventions in order to be reading at grade level by the end of grade 3**, or, for 2020-2021 only, reading at the applicable grade level**. Additional instructional time may be provided before, during, and after regular school hours or as part of a year-round balanced school calendar. All of the following apply to funding under this subsection:

(a) In order to be eligible to receive funding, a district shall demonstrate to the satisfaction of the department that the district has done all of the following:

(*i*) Implemented a multi-tiered system of support instructional delivery model that is an evidence-based model that uses data-driven problem solving to integrate academic and behavioral instruction and that uses intervention delivered to all pupils in varying intensities based on pupil needs. The multi-tiered system of supports must provide at least all of the following essential components:

(A) Team-based leadership.

(B) A tiered delivery system.

(C) Selection and implementation of instruction, interventions, and supports.

(D) A comprehensive screening and assessment system.

(E) Continuous data-based decision making.

(*ii*) Used department-approved research-based diagnostic tools to identify individual pupils in need of additional instructional time.

(*iii*) Used a reading instruction method that focuses on the 5 fundamental building blocks of reading: phonics, phonemic awareness, fluency, vocabulary, and comprehension and content knowledge.

(*iv*) Provided teachers of pupils in grades ~~K~~ **pre-K** to 3 with research-based professional development in diagnostic data interpretation.

(*v*) Complied with the requirements under section 1280f of the revised school code, MCL 380.1280f.

(b) The department shall distribute funding allocated under this subsection to eligible districts on an equal per-first-grade-pupil basis.

(c) If the funds allocated under this subsection are insufficient to fully fund the payments under this subsection, payments under this subsection are prorated on an equal per-pupil basis based on grade 1 pupils.

(6) Not later than September 1 of each year, a district that receives funding under subsection ~~(4),~~ (5) ~~, or (9),~~ in conjunction with the Michigan ~~data hub network,~~ **student data system,** if possible, shall provide to the department a report that includes at least both of the following, in a form and manner prescribed by the department:

(a) For pupils in grades ~~K~~ **pre-K** to 3 **or pre-K to 12, as applicable**, the pupils, schools, and grades served with funds under this section and the categories of services provided.

(b) For pupils in grades ~~K~~ **pre-K** to 3 **or pre-K to 12, as applicable**, pupil proficiency and growth data that allows analysis both in the aggregate and by each of the following subgroups, as applicable:

(*i*) School.

(*ii*) Grade level.

(*iii*) Gender.

(*iv*) Race.

(*v*) Ethnicity.

(*vi*) Economically disadvantaged status.

(*vii*) Disability.

(*viii*) Pupils identified as having reading deficiencies.

(7) From the allocation under subsection (1), there is allocated an amount not to exceed ~~$1,000,000.00~~ **$4,000,000.00** for ~~2019-2020~~ **2020-2021** to an intermediate district in which the combined total number of pupils in membership of all of its constituent districts is the fewest among all intermediate districts. All of the following apply to the funding under this subsection:

(a) Funding under this subsection must be used by the intermediate district, in partnership with an association that represents intermediate district administrators in this state, to implement ~~both~~ **all** of the following:

(*i*) Literacy essentials teacher and principal training modules.

(*ii*) Face-to-face and online professional learning of literacy essentials teacher and principal training modules for literacy coaches, principals, and teachers.

(*iii*) The placement of regional lead literacy coaches to facilitate professional learning for early literacy coaches. These regional lead literacy coaches shall provide support for new literacy coaches, building teachers, and administrators and shall facilitate regional data collection to evaluate the effectiveness of statewide literacy coaches funded under this section.

(*iv*) Provide $500,000.00 from this subsection for literacy training, modeling, coaching, and feedback for district principals or chief administrators, as applicable. The training described in this subparagraph must use the pre-K and K to 3 essential instructional practices in literacy created by the general education leadership network as the framework for all training provided under this subparagraph.

(b) Not later than September 1 of each year, the intermediate district described in this subsection, in consultation with grant recipients, shall submit a report to the chairs of the senate and house appropriations subcommittees on state school aid**,** ~~and~~ the chairs of the senate and house standing committees responsible for education legislation**, the house and senate fiscal agencies, and the state budget director**. The report described under this subdivision must include student achievement results in English language arts and survey results with feedback from parents and teachers regarding the initiatives implemented under this subsection.

(c) Up to 2% of funds allocated under this subsection may be used by the association representing intermediate district administrators that is in partnership with the intermediate district specified in this subsection to administer this subsection.

(8) From the general fund money allocated in subsection (1), the department shall allocate the amount of $2,773,000.00 for 2020-2021 to the Michigan Education Corps for the PreK Reading Corps, the K3 Reading Corps, and the Math Corps. All of the following apply to funding under this subsection:

(a) By September 1 of the current fiscal year, the Michigan Education Corps shall provide a report concerning its use of the funding to the senate and house appropriations subcommittees on state school aid, the senate and house fiscal agencies, and the senate and house caucus policy offices on outcomes and performance measures of the Michigan Education Corps, including, but not limited to, the degree to which the Michigan Education Corps' replication of the PreK Reading Corps, the K3 Reading Corps, and the Math Corps programs is demonstrating sufficient efficacy and impact. The report must include data pertaining to at least all of the following:

(*i*) The current impact of the programs on this state in terms of numbers of children and schools receiving support. This portion of the report must specify the number of children tutored, including dosage and completion, and the demographics of those children.

(*ii*) Whether the assessments and interventions are implemented with fidelity. This portion of the report must include details on the total number of assessments and interventions completed and the range, mean, and standard deviation.

(*iii*) Whether the literacy or math improvement of children participating in the programs is consistent with expectations. This portion of the report must detail at least all of the following:

(A) Growth rate by grade or age level, in comparison to targeted growth rate.

(B) Average linear growth rates.

(C) Exit rates.

(D) Percentage of children who exit who also meet or exceed spring benchmarks.

(*iv*) The impact of the programs on organizations and stakeholders, including, but not limited to, school administrators, internal coaches, and AmeriCorps members.

(b) If the department determines that the Michigan Education Corps has misused the funds allocated under this subsection, the Michigan Education Corps shall reimburse this state for the amount of state funding misused.

(c) The department may not reserve any portion of the allocation provided under this subsection for an evaluation of the Michigan Education Corps, the Michigan Education Corps' funding, or the Michigan Education Corps' programming unless agreed to in writing by the Michigan Education Corps. The department shall award the entire $2,773,000.00 allocated under this subsection to the Michigan Education Corps and shall not condition the awarding of this funding on the implementation of an independent evaluation.

(9) ~~(8)~~ If a district or intermediate district expends any funding received under subsection (4) or (5) for professional development in research-based effective reading instruction, the district or intermediate district shall select a professional development program from the list described under subdivision (a). All of the following apply to the requirement under this subsection:

(a) The department shall issue a request for proposals for professional development programs in research-based effective reading instruction to develop an initial approved list of professional development programs in research-based effective reading instruction. The department shall ~~complete and~~ make the initial approved

list public ~~not later than December 1, 2019. After December 1, 2019, the department~~ **and** shall determine if it will, on a rolling basis, approve any new proposals submitted for addition to its initial approved list.

(b) To be included as an approved professional development program in research-based effective reading instruction under subdivision (a), an applicant must demonstrate to the department in writing the program's competency in all of the following topics:

(*i*) Understanding of phonemic awareness, phonics, fluency, vocabulary, and comprehension.

(*ii*) Appropriate use of assessments and differentiated instruction.

(*iii*) Selection of appropriate instructional materials.

(*iv*) Application of research-based instructional practices.

(c) As used in this subsection, "effective reading instruction" means reading instruction scientifically proven to result in improvement in pupil reading skills.

~~(9) From the allocation under subsection (1), there is allocated for 2019-2020 only an amount not to exceed $5,000,000.00 for a summer school reading program for grade 3 pupils who did not score at least proficient on the English language arts portion of the Michigan student test of educational progress (M-STEP) and for pupils in grades K to 2 who are not reading at grade level. All of the following apply to the funding allocated under this subsection:~~

~~(a) To be eligible for funding under this subsection, a district must apply in a form and manner prescribed by the department by not later than January 15, 2020.~~

~~(b) The department shall award funding under this subsection not later than March 15, 2020.~~

~~(c) The amount of funding to each eligible district is equal to the product of the quotient of $5,000,000.00 divided by the sum of the number of pupils determined by the department to have scored less than proficient on the English language arts portion of the 2019 grade 3 Michigan student test of educational progress (M-STEP) among all of the districts that apply and are eligible for funding for a summer school reading program under this subsection, multiplied by the number of pupils in the eligible district determined by the department to have scored less than proficient on the English language arts portion of the 2019 grade 3 Michigan student test of educational progress (M-STEP).~~

~~(d) A district that is awarded funding under this subsection must prioritize its summer school reading program toward grade 3 pupils who scored less than proficient on the English language arts portion of the Michigan student test of educational progress (M-STEP), but may extend the program to any pupil in grades K to 2 who is not reading at grade level if the program has capacity.~~

(10) Notwithstanding section 17b, the department shall make payments made under subsections (7) ~~and (9)~~ **and (8)** on a schedule determined by the department.

Sec. 35b. (1) From the general fund money appropriated in section 11, there is allocated for ~~2018-2019~~ **2020-2021** an amount not to exceed $250,000.00 for a grant to be distributed by the department to the Children's Choice Initiative ~~to create a pilot program~~ **for a program** to use a multisensory structured language education method to improve reading proficiency rates and to comply with section 1280f of the revised school code, MCL 380.1280f.

(2) Grant funds awarded under this section must be expended for the following purposes:

(a) Professional development including training staff and tutors in a multisensory, sequential, systematic education approach.

(b) Additional instructional time before, during, or after school for pupils in grades K to 3 identified as having an early literacy delay or reading deficiency using a multisensory, sequential, systematic education approach.

(3) Not later than December 1, ~~2020,~~ **2021,** an entity that receives grant funds under this section shall report to the house and senate appropriations subcommittees on school aid, the house and senate fiscal agencies, and the state budget director on all of the following for the grant funds awarded under this section:

(a) The number of staff and tutors trained.

(b) The number of pupils in grades K to 3 identified as having an early literacy delay or reading deficiency served.

(c) The number of hours of added instructional time provided to pupils served.

(d) Pupil reading proficiency and growth data of pupils served necessary to evaluate the effectiveness of the program.

Sec. 35d. (1) From the general fund money appropriated under section 11, for 2020-2021, there is allocated an amount not to exceed $500,000.00 for the department to provide grants to districts and intermediate districts for the purchase of 1 or more components or trainings through an eligible 1-on-1 tutoring program for children with dyslexia from a provider of an eligible 1-on-1 tutoring program for children with dyslexia as provided under this section.

(2) A provider that provides programming that meets all of the following is considered to be a provider of an eligible 1-on-1 tutoring program for purposes of this section:

(a) Allows teachers to incorporate the 5 components essential to an effective reading program into their daily lessons. The 5 components described in this subdivision are phonemic awareness, phonics, vocabulary, fluency, and comprehension.

(b) Trains educators to teach reading using a proven, multisensory approach.

(c) Educates teachers on how to explicitly and effectively teach reading to beginning readers.

(d) Breaks reading and spelling down into smaller skills involving letters and sounds, and then builds on these skills over time.

(e) Uses multisensory teaching strategies to teach reading by using sight, hearing, touch, and movement to help students connect and learn the concepts being taught.

(3) Districts and intermediate districts may apply to the department for grants to purchase components or training through an eligible 1-on-1 tutoring program from a provider of an eligible 1-on-1 tutoring program, and, upon receiving an application but except as otherwise provided in this subsection, the department shall make payments to districts and intermediate districts for those purchases. The department shall make payments under this section on a first-come, first-served basis until funds are depleted.

Sec. 35e. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed $1,000,000.00 for 2020-2021 for a grant to be distributed by the department to an organization to provide early literacy and academic support to at-need youth in this state.

(2) To qualify for a grant under this section, an organization must be exempt from federal income tax under section 501(c)(3) of the internal revenue code, 26 USC 501, and must be affiliated and in good standing with a national congressionally chartered organization's standards under 36 USC 20101 to 240112, and must meet both of the following:

(a) Is facility-based and provides proven and tested recreational, educational, and character building programs for children ages 6 to 18.

(b) Provides after-school and summer programs in at least 25 communities statewide, with youth development services available at least 20 hours per week during the school year and 30 hours per week during summer programming.

(3) A grant recipient under this section shall administer an early learning literacy program targeted at students in grades K-3. At least 60% of the participants in the program must qualify for free or reduced-priced lunch. Each entity receiving funds to implement the program shall report to the department on the number of children served, the types of services, and the outcome of those services.

(4) Notwithstanding section 17b, the department shall make grant payments under this section on a schedule determined by the department.

Sec. 35f. From the general fund money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $500,000.00 for the department to award to the Chaldean community foundation. The Chaldean community foundation shall use funds received under this section to support and expand early childhood learning opportunities, improve early literacy achievement, increase high school graduation rates for new Americans, and assist with diploma acquisition, skills training, and postsecondary education.

Sec. 39. (1) An eligible applicant receiving funds under section 32d shall submit an application, in a form and manner prescribed by the department, by a date specified by the department in the immediately preceding fiscal year. An eligible applicant is not required to amend the applicant's current accounting cycle or adopt this state's fiscal year accounting cycle in accounting for financial transactions under this section. The application must include all of the following:

(a) The estimated total number of children in the community who meet the criteria of section 32d, as provided to the applicant by the department utilizing the most recent population data available from the American Community Survey conducted by the United States Census Bureau. The department shall ensure that it provides updated American Community Survey population data at least once every 3 years.

(b) The estimated number of children in the community who meet the criteria of section 32d and are being served exclusively by Head Start programs operating in the community.

(c) The number of children whom the applicant has the capacity to serve who meet the criteria of section 32d including a verification of physical facility and staff resources capacity.

(2) After notification of funding allocations, an applicant receiving funds under section 32d shall also submit an implementation plan for approval, in a form and manner prescribed by the department, by a date specified by the department, that details how the applicant complies with the program components established by the department pursuant to section 32d.

(3) The initial allocation to each eligible applicant under section 32d is the lesser of the following:

(a) The sum of the number of children served in a school-day program in the preceding school year multiplied by $7,250.00 and the number of children served in a GSRP/Head Start blended program or a part-day program in the preceding school year multiplied by $3,625.00.

(b) The sum of the number of children the applicant has the capacity to serve in the current school year in a school-day program multiplied by $7,250.00 and the number of children served in a GSRP/Head Start blended program or a part-day program the applicant has the capacity to serve in the current school year multiplied by $3,625.00.

(4) If funds remain after the allocations under subsection (3), the department shall distribute the remaining funds to each intermediate district or consortium of intermediate districts that serves less than the state percentage benchmark determined under subsection (5). The department shall distribute these remaining funds to each eligible applicant based upon each applicant's proportionate share of the remaining unserved children necessary to meet the statewide percentage benchmark in intermediate districts or consortia of intermediate districts serving less than the statewide percentage benchmark. When all applicants have been given the opportunity to reach the statewide percentage benchmark, the statewide percentage benchmark may be reset, as determined by the department, until greater equity of opportunity to serve eligible children across all intermediate school districts has been achieved.

(5) For the purposes of subsection (4), the department shall calculate a percentage of children served by each intermediate district or consortium of intermediate districts by ~~dividing~~ **adding** the number of children served in the immediately preceding year by that intermediate district or consortium **with the number of eligible children under section 32d served exclusively by head start, as reported in a form and manner prescribed by the department, within the intermediate district or consortia service area and dividing that total** by the total number of children within the intermediate district or consortium of intermediate districts who meet the criteria of section 32d as determined by the department utilizing the most recent population data available from the American Community Survey conducted by the United States Census Bureau. The department shall compare the resulting percentage of eligible children served to a statewide percentage benchmark to determine if the intermediate district or consortium is eligible for additional funds under subsection (4). The statewide percentage benchmark is 60%.

(6) If, taking into account the total amount to be allocated to the applicant as calculated under this section, an applicant determines that it is able to include additional eligible children in the great start readiness program without additional funds under section 32d, the applicant may include additional eligible children but does not receive additional funding under section 32d for those children.

(7) The department shall review the program components under section 32d and under this section at least biennially. The department also shall convene a committee of internal and external stakeholders at least once every 5 years to ensure that the funding structure under this section reflects current system needs under section 32d.

(8) As used in this section, **"GSRP/Head Start blended program", "part-day program", and** "school-day program" ~~, "GSRP/Head Start blended program", and "part-day program"~~ mean those terms as defined in section 32d **as, for 2020-2021, impacted by section 32d(26)**.

Sec. 39a. (1) From the federal funds appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** to districts, intermediate districts, and other eligible entities all available federal funding, estimated at ~~$725,600,000.00~~ **$749,200,000.00** for the federal programs under the no child left behind act of 2001, Public Law 107-110, or the every student succeeds act, Public Law 114-95. These funds are allocated as follows:

(a) An amount estimated at $1,200,000.00 for ~~2019-2020~~ **2020-2021** to provide students with drug- and violence-prevention programs and to implement strategies to improve school safety, funded from DED-OESE, drug-free schools and communities funds.

(b) An amount estimated at $100,000,000.00 for ~~2019-2020~~ **2020-2021** for the purpose of preparing, training, and recruiting high-quality teachers and class size reduction, funded from DED-OESE, improving teacher quality funds.

(c) An amount estimated at $11,000,000.00 for ~~2019-2020~~ **2020-2021** for programs to teach English to limited English proficient (LEP) children, funded from DED-OESE, language acquisition state grant funds.

(d) An amount estimated at $2,800,000.00 for ~~2019-2020~~ **2020-2021** for rural and low income schools, funded from DED-OESE, rural and low income school funds.

(e) An amount estimated at $535,000,000.00 for ~~2019-2020~~ **2020-2021** to provide supplemental programs to enable educationally disadvantaged children to meet challenging academic standards, funded from DED-OESE, title I, disadvantaged children funds.

(f) An amount estimated at $9,200,000.00 for ~~2019-2020~~ **2020-2021** for the purpose of identifying and serving migrant children, funded from DED-OESE, title I, migrant education funds.

(g) An amount estimated at $39,000,000.00 for ~~2019-2020~~ **2020-2021** for the purpose of providing high-quality extended learning opportunities, after school and during the summer, for children in low-performing schools, funded from DED-OESE, twenty-first century community learning center funds.

(h) An amount estimated at ~~$12,000,000.00~~ **$14,000,000.00** for ~~2019-2020~~ **2020-2021** to help support local school improvement efforts, funded from DED-OESE, title I, local school improvement grants.

(i) An amount estimated at ~~$15,400,000.00~~ **$35,000,000.00** for ~~2019-2020~~ **2020-2021** to improve the academic achievement of students, funded from DED-OESE, title IV, student support and academic enrichment grants.

(2) From the federal funds appropriated in section 11, there is allocated ~~for 2019-2020~~ to districts, intermediate districts, and other eligible entities all available federal funding, estimated at ~~$49,100,000.00~~ **$55,000,000.00** for ~~2019-2020~~ **2020-2021** for the following programs that are funded by federal grants:

~~(a) An amount estimated at $100,000.00 for 2019-2020 for acquired immunodeficiency syndrome education grants, funded from HHS – Centers for Disease Control and Prevention, AIDS funding.~~

(a) ~~(b)~~ An amount estimated at ~~$1,900,000.00~~ **$3,000,000.00** for ~~2019-2020~~ **2020-2021** to provide services to homeless children and youth, funded from DED-OVAE, homeless children and youth funds.

~~(c) An amount estimated at $4,000,000.00 for 2019-2020 to provide mental health, substance abuse, or violence prevention services to students, funded from HHS-SAMHSA.~~

(b) ~~(d)~~ An amount estimated at $24,000,000.00 for ~~2019-2020~~**2020-2021** for providing career and technical education services to pupils, funded from DED-OVAE, basic grants to states.

(c) ~~(e)~~ An amount estimated at $14,000,000.00 for ~~2019-2020~~ **2020-2021** for the Michigan charter school subgrant program, funded from DED–OII, public charter schools program funds.

(d) ~~(f)~~ An amount estimated at ~~$5,100,000.00~~ **$14,000,000.00** for ~~2019-2020~~ **2020-2021** for the purpose of promoting and expanding high-quality preschool services, funded from HHS–OCC, preschool development funds.

(3) The department shall distribute all federal funds allocated under this section in accordance with federal law and with flexibility provisions outlined in Public Law 107-116, and in the education flexibility partnership act of 1999, Public Law 106-25. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(4) For the purposes of applying for federal grants appropriated under this article, the department shall allow an intermediate district to submit a consortium application on behalf of 2 or more districts with the agreement of those districts as appropriate according to federal rules and guidelines.

(5) For the purposes of funding federal title I grants under this article, in addition to any other federal grants for which the strict discipline academy is eligible, the department shall allocate to a strict discipline academy out of title I, part A an amount equal to what the strict discipline academy would have received if included and calculated under title I, part D, or what it would receive under the formula allocation under title I, part A, whichever is greater.

(6) As used in this section:

(a) "DED" means the United States Department of Education.

(b) "DED-OESE" means the DED Office of Elementary and Secondary Education.

(c) "DED-OII" means the DED Office of Innovation and Improvement.

(d) "DED-OVAE" means the DED Office of Vocational and Adult Education.

(e) "HHS" means the United States Department of Health and Human Services.

(f) "HHS-OCC" means the HHS Office of Child Care.

~~(g) "HHS-SAMHSA" means the HHS Substance Abuse and Mental Health Services Administration.~~

Sec. 41. (1) For a district ~~or public school academy~~ to be eligible to receive funding under this section, the district ~~or public school academy~~ must administer to English language learners the English language proficiency assessment known as the "WIDA ACCESS for English language learners" or the "WIDA Alternate ACCESS". From the appropriation in section 11, there is allocated an amount not to exceed $13,000,000.00 for ~~2019-2020~~ **2020-2021** for payments to eligible districts ~~and eligible public school academies~~ for services for English language learners who have been administered the WIDA ACCESS for English language learners.

(2) The department shall distribute funding allocated under subsection (1) to eligible districts ~~and eligible public school academies~~ based on the number of full-time equivalent English language learners as follows:

(a) $900.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 1.0 and 1.9, or less, as applicable to each assessment.

(b) $620.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 2.0 and 2.9, or less, as applicable to each assessment.

(c) $100.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 3.0 and 3.9, or less, as applicable to each assessment.

(3) If funds allocated under subsection (1) are insufficient to fully fund the payments as prescribed under subsection (2), the department shall prorate payments on an equal percentage basis, with the same percentage proration applied to all funding categories.

(4) Each district ~~or public school academy~~ receiving funds under subsection (1) shall submit to the department by July 15 of each fiscal year a report, not to exceed 10 pages, on the usage by the district ~~or public school academy~~ of funds under subsection (1) in a form and manner determined by the department, including a brief description of each program conducted or services performed by the district ~~or public school academy~~ using funds under subsection (1) and the amount of funds under subsection (1) allocated to each of those programs or services. If a district ~~or public school academy~~ does not comply with this subsection, the department shall withhold an amount equal to the August payment due under this section until the district ~~or public school academy~~ complies with this subsection. If the district ~~or public school academy~~ does not comply with this subsection by the end of the ~~state~~ fiscal year, the withheld funds are forfeited to the school aid fund.

(5) In order to receive funds under ~~this~~ subsection (1), a district ~~or public school academy shall~~ **must** allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The district ~~or public school academy~~ shall reimburse this state for all disallowances found in the audit.

(6) Beginning July 1, 2020, and every 3 years thereafter, the department shall review the per-pupil distribution under subsection (2), to ensure that funding levels are appropriate and make recommendations for adjustments to the members of the senate and house subcommittees on K-12 school aid appropriations.

Sec. 51a. (1) From the appropriation in section 11, there is allocated an amount not to exceed $1,023,996,100.00 for 2019-2020 **and there is allocated an amount not to exceed $1,079,296,100.00 for 2020-2021** from state sources and all available federal funding under sections 611 to 619 of part B of the individuals with disabilities education act, 20 USC 1411 to 1419, estimated at $370,000,000.00 for 2019-2020 **and $375,000,000.00 for 2020-2021**, plus any carryover federal funds from previous year appropriations. The allocations under this subsection are for the purpose of reimbursing districts and intermediate districts for special education programs, services, and special education personnel as prescribed in article 3 of the revised school code, MCL 380.1701 to 380.1761; net tuition payments made by intermediate districts to the Michigan Schools for the Deaf and Blind; and special education programs and services for pupils who are eligible for special education programs and services according to statute or rule. For meeting the costs of special education programs and services not reimbursed under this article, a district or intermediate district may use money in general funds or special education funds, not otherwise restricted, or contributions from districts to intermediate districts, tuition payments, gifts and contributions from individuals or other entities, or federal funds that may be available for this purpose, as determined by the intermediate district plan prepared under article 3 of the revised school code, MCL 380.1701 to 380.1761. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(2) From the funds allocated under subsection (1), there is allocated the amount necessary, estimated at $286,900,000.00 for 2019-2020 **and estimated at $307,500,000.00 for 2020-2021**, for payments toward reimbursing districts and intermediate districts for 28.6138% of total approved costs of special education, excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Allocations under this subsection are made as follows:

(a) The department shall calculate the initial amount allocated to a district under this subsection toward fulfilling the specified percentages by multiplying the district's special education pupil membership, excluding pupils described in subsection (11), times the foundation allowance under section 20 of the pupil's district of residence, not to exceed the target foundation allowance for the current fiscal year, or, for a special education pupil in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil calculated under section 20(6). For an intermediate district, the amount allocated under this subdivision toward fulfilling the specified percentages is an amount per special education membership pupil, excluding pupils described in subsection (11), and is calculated in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence, not to exceed the target foundation allowance for the current fiscal year.

(b) After the allocations under subdivision (a), the department shall pay a district or intermediate district for which the payments calculated under subdivision (a) do not fulfill the specified percentages the amount necessary to achieve the specified percentages for the district or intermediate district.

(3) From the funds allocated under subsection (1), there is allocated for 2019-2020 an amount not to exceed $1,000,000.00 **and there is allocated for 2020-2021 an amount not to exceed $1,000,000.00** to make payments to districts and intermediate districts under this subsection. If the amount allocated to a district or intermediate district for a fiscal year under subsection (2)(b) is less than the sum of the amounts allocated to the district or intermediate district for 1996-97 under sections 52 and 58, there is allocated to the district or intermediate district for the fiscal year an amount equal to that difference, adjusted by applying the same proration factor that was used in the distribution of funds under section 52 in 1996-97 as adjusted to the district's or intermediate district's necessary costs of special education used in calculations for the fiscal year. This adjustment is to reflect reductions in special education program operations or services between 1996-97 and subsequent fiscal years. The department shall make adjustments for reductions in special education program operations or services in a manner determined by the department and shall include adjustments for program or service shifts.

(4) If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2)(a) and (b) is not sufficient to fulfill the specified percentages in subsection (2), then the department shall pay the shortfall to the district or intermediate district during the fiscal year beginning on the October 1 following the determination and shall adjust payments under subsection (3) as necessary. If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2)(a) and (b) exceeds the sum of the amount necessary to fulfill the specified percentages in subsection (2), then the department shall deduct the amount of the excess from the district's or intermediate district's payments under this article for the fiscal year beginning on the October 1 following the determination and shall adjust payments under subsection (3) as necessary. However, if the amount allocated under subsection (2)(a) in itself exceeds the amount necessary to fulfill the specified percentages in subsection (2), there is no deduction under this subsection.

(5) State funds are allocated on a total approved cost basis. Federal funds are allocated under applicable federal requirements**.** ~~, except that an amount not to exceed $3,500,000.00 may be allocated by the department for 2019-2020 to districts, intermediate districts, or other eligible entities on a competitive grant basis for programs, equipment, and services that the department determines to be designed to benefit or improve special education on a statewide scale.~~

(6) From the amount allocated in subsection (1), there is allocated an amount not to exceed $2,200,000.00 for 2019-2020 **and there is allocated an amount not to exceed $2,200,000.00 for 2020-2021** to reimburse 100% of the net increase in necessary costs incurred by a district or intermediate district in implementing the revisions in the administrative rules for special education that became effective on July 1, 1987. As used in this subsection, "net increase in necessary costs" means the necessary additional costs incurred solely because of new or revised requirements in the administrative rules minus cost savings permitted in implementing the revised rules. The department shall determine net increase in necessary costs in a manner specified by the department.

(7) For purposes of sections 51a to 58, all of the following apply:

(a) "Total approved costs of special education" are determined in a manner specified by the department and may include indirect costs, but must not exceed 115% of approved direct costs for section 52 and section 53a programs. The total approved costs include salary and other compensation for all approved special education personnel for the program, including payments for Social Security and Medicare and public school employee retirement system contributions. The total approved costs do not include salaries or other compensation paid to administrative personnel who are not special education personnel as that term is defined in section 6 of the revised school code, MCL 380.6. Costs reimbursed by federal funds, other than those federal funds included in the allocation made under this article, are not included. Special education approved personnel not utilized full time in the evaluation of students or in the delivery of special education programs, ancillary, and other related services are reimbursed under this section only for that portion of time actually spent providing these programs and services, with the exception of special education programs and services provided to youth placed in child caring institutions or juvenile detention programs approved by the department to provide an on-grounds education program.

(b) Beginning with the 2004-2005 fiscal year, a district or intermediate district that employed special education support services staff to provide special education support services in 2003-2004 or in a subsequent fiscal year and that in a fiscal year after 2003-2004 receives the same type of support services from another district or intermediate district shall report the cost of those support services for special education reimbursement purposes under this article. This subdivision does not prohibit the transfer of

special education classroom teachers and special education classroom aides if the pupils counted in membership associated with those special education classroom teachers and special education classroom aides are transferred and counted in membership in the other district or intermediate district in conjunction with the transfer of those teachers and aides.

(c) If the department determines before bookclosing for a fiscal year that the amounts allocated for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 will exceed expenditures for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a district or intermediate district whose reimbursement for that fiscal year would otherwise be affected by subdivision (b), subdivision (b) does not apply to the calculation of the reimbursement for that district or intermediate district and the department shall calculate reimbursement for that district or intermediate district in the same manner as it was for 2003-2004. If the amount of the excess allocations under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 is not sufficient to fully fund the calculation of reimbursement to those districts and intermediate districts under this subdivision, then the department shall prorate calculations and resulting reimbursement under this subdivision on an equal percentage basis. Beginning in 2015-2016, the amount of reimbursement under this subdivision for a fiscal year must not exceed $2,000,000.00 for any district or intermediate district.

(d) Reimbursement for ancillary and other related services, as defined by R 340.1701c of the Michigan Administrative Code, is not provided when those services are covered by and available through private group health insurance carriers or federal reimbursed program sources unless the department and district or intermediate district agree otherwise and that agreement is approved by the state budget director. Expenses, other than the incidental expense of filing, must not be borne by the parent. In addition, the filing of claims must not delay the education of a pupil. A district or intermediate district is responsible for payment of a deductible amount and for an advance payment required until the time a claim is paid.

(e) Beginning with calculations for 2004-2005, if an intermediate district purchases a special education pupil transportation service from a constituent district that was previously purchased from a private entity; if the purchase from the constituent district is at a lower cost, adjusted for changes in fuel costs; and if the cost shift from the intermediate district to the constituent does not result in any net change in the revenue the constituent district receives from payments under sections 22b and 51c, then upon application by the intermediate district, the department shall direct the intermediate district to continue to report the cost associated with the specific identified special education pupil transportation service and shall adjust the costs reported by the constituent district to remove the cost associated with that specific service.

(8) A pupil who is enrolled in a full-time special education program conducted or administered by an intermediate district or a pupil who is enrolled in the Michigan ~~schools for the deaf and blind~~ **Schools for the Deaf and Blind** is not included in the membership count of a district, but is counted in membership in the intermediate district of residence.

(9) Special education personnel transferred from 1 district to another to implement the revised school code are entitled to the rights, benefits, and tenure to which the person would otherwise be entitled had that person been employed by the receiving district originally.

(10) If a district or intermediate district uses money received under this section for a purpose other than the purpose or purposes for which the money is allocated, the department may require the district or intermediate district to refund the amount of money received. The department shall deposit money that is refunded in the state treasury to the credit of the state school aid fund.

(11) From the funds allocated in subsection (1), there is allocated the amount necessary, estimated at $3,100,000.00 for 2019-2020 **and estimated at $3,000,000.00 for 2020-2021**, to pay the foundation allowances for pupils described in this subsection. The department shall calculate the allocation to a district under this subsection by multiplying the number of pupils described in this subsection who are counted in membership in the district times the sum of the foundation allowance under section 20 of the pupil's district of residence not to exceed the target foundation allowance for the current fiscal year, or, for a pupil described in this subsection who is counted in membership in a district that is a public school academy, times an amount equal to the amount per membership pupil under section 20(6). The department shall calculate the allocation to an intermediate district under this subsection in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence not to exceed the target foundation allowance for the current fiscal year. This subsection applies to all of the following pupils:

(a) Pupils described in section 53a.

(b) Pupils counted in membership in an intermediate district who are not special education pupils and are served by the intermediate district in a juvenile detention or child caring facility.

(c) Pupils with an emotional impairment counted in membership by an intermediate district and provided educational services by the department of health and human services.

(12) If it is determined that funds allocated under subsection (2) or (11) or under section 51c will not be expended, funds up to the amount necessary and available may be used to supplement the allocations under subsection (2) or (11) or under section 51c in order to fully fund those allocations. After payments under subsections (2) and (11) and section 51c, the department shall expend the remaining funds from the allocation in subsection (1) in the following order:

(a) 100% of the reimbursement required under section 53a.

(b) 100% of the reimbursement required under subsection (6).

(c) 100% of the payment required under section 54.

(d) 100% of the payment required under subsection (3).

(e) 100% of the payments under section 56.

(13) The allocations under subsections (2), (3), and (11) are allocations to intermediate districts only and are not allocations to districts, but instead are calculations used only to determine the state payments under section 22b.

(14) If a public school academy that is not a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, enrolls under this section a pupil who resides outside of the intermediate district in which the public school academy is located and who is eligible for special education programs and services according to statute or rule, or who is a child with disabilities, as defined under the individuals with disabilities education act, Public Law 108-446, the intermediate district in which the public school academy is located and the public school academy shall enter into a written agreement with the intermediate district in which the pupil resides for the purpose of providing the pupil with a free appropriate public education, and the written agreement must include at least an agreement on the responsibility for the payment of the added costs of special education programs and services for the pupil. If the public school academy that enrolls the pupil does not enter into an agreement under this subsection, the public school academy shall not charge the pupil's resident intermediate district or the intermediate district in which the public school academy is located the added costs of special education programs and services for the pupil, and the public school academy is not eligible for any payouts based on the funding formula outlined in the resident or nonresident intermediate district's plan. If a pupil is not enrolled in a public school academy under this subsection, the provision of special education programs and services and the payment of the added costs of special education programs and services for a pupil described in this subsection are the responsibility of the district and intermediate district in which the pupil resides.

(15) For the purpose of receiving its federal allocation under part B of the individuals with disabilities education act, Public Law 108-446, a public school academy that is a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a, directly receives the federal allocation under part B of the individuals with disabilities education act, Public Law 108-446, from the intermediate district in which the cyber school is located, as the subrecipient. If the intermediate district does not distribute the funds described in this subsection to the cyber school by the part B application due date of July 1, the department may distribute the funds described in this subsection directly to the cyber school according to the formula prescribed in 34 CFR 300.705 and 34 CFR 300.816.

(16) For a public school academy that is a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a, that enrolls a pupil under this section, the intermediate district in which the cyber school is located shall ensure that the cyber school complies with sections 1701a, 1703, 1704, 1751, 1752, 1756, and 1757 of the revised school code, MCL 380.1701a, 380.1703, 380.1704, 380.1751, 380.1752, 380.1756, and 380.1757; applicable rules; and the individuals with disabilities education act, Public Law 108-446.

(17) For the purposes of this section, the department or the center shall only require a district or intermediate district to report information that is not already available from the financial information database maintained by the center.

Sec. 51c. As required by the court in the consolidated cases known as *Durant v State of Michigan*, 456 Mich 175 (1997), from the allocation under section 51a(1), there is allocated for 2019-2020 **and for 2020-2021,** the amount necessary, estimated at $678,600,000.00 for 2019-2020 **and $713,400,000.00 for 2020-2021**, for payments to reimburse districts for 28.6138% of total approved costs of special education excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. **Funds allocated under this section that are not expended in the fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22a and 22b to fully fund those allocations for the same fiscal year. For each fund transfer as described in the immediately preceding sentence that occurs, the state budget director shall send notification of the transfer to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies by not later than 14 calendar days after the transfer occurs.**

Sec. 51d. (1) From the federal funds appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** all available federal funding, estimated at ~~$61,000,000.00,~~ **$71,000,000.00** for special education programs and services that are funded by federal grants. The department shall distribute all federal funds allocated under this section in accordance with federal law. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(2) From the federal funds allocated under subsection (1), the following amounts are allocated for ~~2019-2020:~~**2020-2021:**

(a) An amount estimated at $14,000,000.00 for handicapped infants and toddlers, funded from DED-OSERS, handicapped infants and toddlers funds.

(b) An amount estimated at ~~$12,000,000.00~~ **$14,000,000.00** for preschool grants (Public Law 94-142), funded from DED-OSERS, handicapped preschool incentive funds.

(c) An amount estimated at ~~$35,000,000.00~~ **$43,000,000.00** for special education programs funded by DED-OSERS, handicapped program, individuals with disabilities act funds.

(3) As used in this section, "DED-OSERS" means the United States Department of Education Office of Special Education and Rehabilitative Services.

Sec. 51f. (1) From the funds appropriated under section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $60,207,000.00 for payments to districts and intermediate districts to increase the level of reimbursement of costs associated with providing special education services required under state and federal law.

(2) A district's or intermediate district's allocation under this section is equal to the level percentage multiplied by each district's or intermediate district's costs reported to the center on the special education actual cost report, known as "SE-4096" as referred to under section 18(6), as approved by the department.

(3) The total reimbursement under this section and under section 51c must not exceed the total reported costs for a district or intermediate district.

(4) For ~~2019-2020,~~ **2020-2021,** the level percentage is estimated at 2.0%.

(5) For the purposes of this section, "level percentage" means the percentage calculated by dividing the allocation in subsection (1) by the total of costs reported to the center on the special education actual cost report, known as "SE-4096" as referred to under section 18(6), as approved by the department.

Sec. 53a. (1) For districts, reimbursement for pupils described in subsection (2) is 100% of the total approved costs of operating special education programs and services approved by the department and included in the intermediate district plan adopted ~~pursuant to~~ **under** article 3 of the revised school code, MCL 380.1701 to 380.1761, minus the district's foundation allowance calculated under section 20. For intermediate districts, the department shall calculate reimbursement for pupils described in subsection (2) in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence, not to exceed the target foundation allowance under section 20 for the current fiscal year.

(2) Reimbursement under subsection (1) is for the following special education pupils:

(a) Pupils assigned to a district or intermediate district through the community placement program of the courts or a state agency, if the pupil was a resident of another intermediate district at the time the pupil came under the jurisdiction of the court or a state agency.

(b) Pupils who are residents of institutions operated by the department of health and human services.

(c) Pupils who are former residents of department of community health institutions for the developmentally disabled who are placed in community settings other than the pupil's home.

(d) Pupils enrolled in a department-approved on-grounds educational program longer than 180 days, but not longer than 233 days, at a residential child care institution, if the child care institution offered in 1991-92 an on-grounds educational program longer than 180 days but not longer than 233 days.

(e) Pupils placed in a district by a parent for the purpose of seeking a suitable home, if the parent does not reside in the same intermediate district as the district in which the pupil is placed.

(3) Only those costs that are clearly and directly attributable to educational programs for pupils described in subsection (2), and that would not have been incurred if the pupils were not being educated in a district or intermediate district, are reimbursable under this section.

(4) The costs of transportation are funded under this section and are not reimbursed under section 58.

(5) The department shall not allocate more than $10,500,000.00 of the allocation for ~~2019-2020~~ **2020-2021** in section 51a(1) under this section.

Sec. 54. Each intermediate district receives an amount per-pupil for each pupil in attendance at the Michigan ~~schools for the deaf and blind.~~ **Schools for the Deaf and Blind.** The amount is proportionate to the total instructional cost at each school. The department shall not allocate more than $1,688,000.00 of the allocation for ~~2019-2020~~ **2020-2021** in section 51a(1) under this section.

Sec. 54b. (1) From the general fund ~~appropriation~~ **money appropriated** in section 11, there is allocated an amount not to exceed $1,600,000.00 for ~~2019-2020~~ **2020-2021** to continue the implementation of the recommendations of the special education reform task force published in January 2016.

(2) The department shall use funds allocated under this section for the purpose of piloting statewide implementation of the Michigan Integrated Behavior and Learning Support Initiative (MiBLSI), a nationally recognized program that includes positive behavioral intervention and supports and provides a statewide structure to support local initiatives for an integrated behavior and reading program. With the assistance of the intermediate districts involved in MiBLSI, the department shall identify a number of intermediate districts to participate in the pilot that is sufficient to ensure that MiBLSI can be implemented statewide with fidelity and sustainability. In addition, the department shall identify an intermediate district to act as a fiscal agent for these funds.

Sec. 54d. (1) From the appropriations in section 11, there is allocated an amount not to exceed $7,150,000.00 for ~~2019-2020~~ **2020-2021** to intermediate districts for the purpose of providing state early on services ~~pilot~~ programs for children from birth to 3 years of age with a developmental delay or a disability, or both, and their families, as described in the early on Michigan state plan, as approved by the department.

(2) To be eligible to receive grant funding under this section, each intermediate district ~~shall~~ **must** apply in a form and manner determined by the department.

(3) The grant funding allocated under this section must be used to increase early on services and resources available to children that demonstrate developmental delays to help prepare them for success as they enter school. State early on services include evaluating and providing early intervention services for eligible infants and toddlers and their families to address developmental delays, including those affecting physical, cognitive, communication, adaptive, social, or emotional development. Grant funds must not be used to supplant existing services that are currently being provided.

(4) The department shall distribute the funds allocated under subsection (1) to intermediate districts according to the department's early on funding formula utilized to distribute the federal award to Michigan under part C of the individuals with disabilities education act. Funds received under this section must not supplant existing funds or resources allocated for early on early intervention services. An intermediate district receiving funds under this section shall maximize the capture of Medicaid funds to support early on early intervention services to the extent possible.

(5) Each intermediate district that receives funds under this section shall report data and other information to the department in a form, manner, and frequency prescribed by the department to allow for monitoring and evaluation of the ~~pilot projects~~ **program** and to ensure that the children described in subsection (1) received appropriate levels and types of services delivered by qualified personnel, based on the individual needs of the children and their families.

(6) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 55. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed $250,000.00 for ~~2018-2019~~ **2020-2021** to the Conductive Learning Center located at Aquinas College. This funding must be used to support the operational costs of the conductive education model taught at the Conductive Learning Center to maximize the independence and mobility of children and adults with neuromotor disabilities. The conductive education model funded under this section must be based on the concept of neuroplasticity and the ability of people to learn and improve when they are motivated, regardless of the severity of their disability.

(2) Notwithstanding section 17b, the department shall distribute the funding allocated under this section to the Conductive Learning Center not later than December 1, ~~2018.~~**2020.**

Sec. 56. (1) For the purposes of this section:

(a) "Membership" means for a particular fiscal year the total membership for the immediately preceding fiscal year of the intermediate district and the districts constituent to the intermediate district.

(b) "Millage levied" means the millage levied for special education ~~pursuant to~~ **under** part 30 of the revised school code, MCL 380.1711 to 380.1741, including a levy for debt service obligations.

(c) "Taxable value" means the total taxable value of the districts constituent to an intermediate district, except that if a district has elected not to come under part 30 of the revised school code, MCL 380.1711 to 380.1741, membership and taxable value of the district are not included in the membership and taxable value of the intermediate district.

(2) From the allocation under section 51a(1), there is allocated $40,008,100.00 for ~~2018-2019~~ **2019-2020** and an amount not to exceed $40,008,100.00 for ~~2019-2020~~ **2020-2021** to reimburse intermediate districts levying millages for special education ~~pursuant to~~ **under** part 30 of the revised school code, MCL 380.1711 to 380.1741. The purpose, use, and expenditure of the reimbursement are limited as if the funds were

generated by these millages and governed by the intermediate district plan adopted ~~pursuant to~~ **under** article 3 of the revised school code, MCL 380.1701 to 380.1761. As a condition of receiving funds under this section, an intermediate district distributing any portion of special education millage funds to its constituent districts ~~shall~~ **must** submit for departmental approval and implement a distribution plan.

(3) Except as otherwise provided in this subsection, reimbursement for those millages levied in ~~2017-2018~~ **2018-2019** is made in ~~2018-2019~~ **2019-2020** at an amount per ~~2017-2018~~ **2018-2019** membership pupil computed by subtracting from ~~$193,900.00~~ **$201,700.00** the ~~2017-2018~~ **2018-2019** taxable value behind each membership pupil and multiplying the resulting difference by the ~~2017-2018~~ **2018-2019** millage levied, and then subtracting from that amount the ~~2017-2018~~ **2018-2019** local community stabilization share revenue for special education purposes behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362. Reimbursement in ~~2018-2019~~ **2019-2020** for an intermediate district whose 2017-2018 allocation was affected by the operation of subsection (5) is an amount equal to 102.5% of the 2017-2018 allocation to that intermediate district.

(4) Except as otherwise provided in this subsection, reimbursement for those millages levied in ~~2018-2019~~ **2019-2020** is made in ~~2019-2020~~ **2020-2021** at an amount per ~~2018-2019~~ **2019-2020** membership pupil computed by subtracting from ~~$201,800.00~~ **$209,000.00** the ~~2018-2019~~ **2019-2020** taxable value behind each membership pupil and multiplying the resulting difference by the ~~2018-2019~~ **2019-2020** millage levied, and then subtracting from that amount the ~~2018-2019~~ **2019-2020** local community stabilization share revenue for special education purposes behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362. Reimbursement in ~~2019-2020~~ **2020-2021** for an intermediate district whose 2017-2018 allocation was affected by the operation of subsection (5) is an amount equal to 102.5% of the 2017-2018 allocation to that intermediate district.

(5) The department shall ensure that the amount paid to a single intermediate district under this section does not exceed 62.9% of the total amount allocated under subsection (2).

(6) The department shall ensure that the amount paid to a single intermediate district under this section is not less than 75% of the amount allocated to the intermediate district under this section for the immediately preceding fiscal year.

Sec. 61a. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed ~~$27,893,500.00~~ **$37,611,300.00** for ~~2019-2020,~~ **2020-2021** ~~and from the talent investment fund money appropriated in section 11, there is allocated an amount not to exceed $9,717,800.00 for 2019-2020,~~ to reimburse on an added cost basis districts, except for a district that served as the fiscal agent for a vocational education consortium in the 1993-94 school year and that has a foundation allowance as calculated under section 20 greater than the minimum foundation allowance under that section, and secondary area vocational-technical education centers for secondary-level career and technical education programs according to rules approved by the superintendent. Applications for participation in the programs must be submitted in the form prescribed by the department. The department shall determine the added cost for each career and technical education program area. The department shall prioritize the allocation of added cost funds based on the capital and program expenditures needed to operate the career and technical education programs provided; the number of pupils enrolled; the advancement of pupils through the instructional program; the existence of an articulation agreement with at least 1 postsecondary institution that provides pupils with opportunities to earn postsecondary credit during the pupil's participation in the career and technical education program and transfers those credits to the postsecondary institution upon completion of the career and technical education program; and the program rank in student placement, job openings, and wages, and shall ensure that the allocation does not exceed 75% of the added cost of any program. Notwithstanding any rule or department determination to the contrary, when determining a district's allocation or the formula for making allocations under this section, the department shall include the participation of pupils in grade 9 in all of those determinations and in all portions of the formula. With the approval of the department, the board of a district maintaining a secondary career and technical education program may offer the program for the period from the close of the school year until September 1. The program shall use existing facilities and must be operated as prescribed by rules promulgated by the superintendent.

(2) Except for a district that served as the fiscal agent for a vocational education consortium in the 1993-94 school year, the department shall reimburse districts and intermediate districts for local career and technical education administration, shared time career and technical education administration, and career education planning district career and technical education administration. The superintendent shall adopt guidelines for the definition of what constitutes administration and shall make reimbursement pursuant to those

guidelines. The department shall not distribute more than $800,000.00 of the allocation in subsection (1) under this subsection.

(3) A career and technical education program funded under this section may provide an opportunity for participants who are eligible to be funded under section 107 to enroll in the career and technical education program funded under this section if the participation does not occur during regular school hours.

Sec. 61b. (1) From the funds appropriated under section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $8,000,000.00 from the state school aid fund appropriation for CTE early/middle college and CTE dual enrollment programs authorized under this section and for planning grants for the development or expansion of CTE early/middle college programs. The purpose of these programs is to increase the number of Michigan residents with high-quality degrees or credentials, and to increase the number of students who are college and career ready upon high school graduation.

(2) From the funds allocated under subsection (1), the department shall allocate an amount as determined under this subsection to each intermediate district serving as a fiscal agent for state-approved CTE early/middle college and CTE dual enrollment programs in each of the ~~prosperity regions and subregions~~ **career education planning districts** identified by the department. An intermediate district shall not use more than 5% of the funds allocated under this subsection for administrative costs for serving as the fiscal agent.

(3) To be an eligible fiscal agent, an intermediate district must agree to do all of the following in a form and manner determined by the department:

(a) Distribute funds to eligible CTE early/middle college and CTE dual enrollment programs in a ~~prosperity region or subregion~~ **career education planning district** as described in this section.

(b) Collaborate with the career and educational advisory council ~~that is located in the prosperity region or subregion~~ **in the workforce development board service delivery area** to develop ~~a~~ **1** regional strategic plan under subsection (4) that aligns CTE programs and services into an efficient and effective delivery system for high school students. **The department will align career education planning districts, workforce development board service delivery areas, and intermediate districts for the purpose of creating 1 regional strategic plan for each workforce development board service delivery area.**

(c) Implement a regional process to rank career clusters in the ~~prosperity region or subregion~~ **workforce development board service delivery area** as described under subsection (4). Regional processes must be approved by the department before the ranking of career clusters.

(d) Report CTE early/middle college and CTE dual enrollment program and student data and information as prescribed by the department and the center.

(4) A regional strategic plan must be approved by the career and educational advisory council before submission to the department. A regional strategic plan must include, but is not limited to, the following:

(a) An identification of regional employer need based on a ranking of all career clusters in the ~~prosperity region or subregion~~ **workforce development board service delivery area** ranked by 10-year job openings projections and median wage for each standard occupational code in each career cluster as obtained from the United States Bureau of Labor Statistics. Standard occupational codes within high-ranking clusters also may be further ranked by median wage. The career and educational advisory council located in the ~~prosperity region or subregion~~ **workforce development board service delivery area** shall review the rankings and modify them if necessary to accurately reflect employer demand for talent in the ~~prosperity region or subregion.~~ **workforce development board service delivery area.** A career and educational advisory council shall document that it has conducted this review and certify that it is accurate. These career cluster rankings must be determined and updated once every 4 years.

(b) An identification of educational entities in the ~~prosperity region or subregion~~ **workforce development board service delivery area** that will provide eligible CTE early/middle college and CTE dual enrollment programs including districts, intermediate districts, postsecondary institutions, and noncredit occupational training programs leading to an industry-recognized credential.

(c) A strategy to inform parents and students of CTE early/middle college and CTE dual enrollment programs in the ~~prosperity region or subregion.~~ **workforce development board service delivery area.**

(d) Any other requirements as defined by the department.

(5) An eligible CTE program is a program that meets all of the following:

(a) Has been identified in the highest 5 career cluster rankings in any of the ~~10 regional~~ **16 workforce development board service delivery area** strategic plans jointly approved by the ~~Michigan talent investment agency in the~~ department of labor and economic opportunity and the department.

(b) Has a coherent sequence of courses that will allow a student to earn a high school diploma and achieve at least 1 of the following in a specific career cluster:

(*i*) An associate degree.

(*ii*) An industry-recognized technical certification approved by ~~the Michigan talent investment agency in~~ the department of labor and economic opportunity.

(*iii*) Up to 60 transferable college credits.

(*iv*) Participation in a registered apprenticeship, pre-apprenticeship, or apprentice readiness program.

(c) Is aligned with the Michigan merit curriculum.

(d) Has an articulation agreement with at least 1 postsecondary institution that provides students with opportunities to receive postsecondary credits during the student's participation in the CTE early/middle college or CTE dual enrollment program and transfers those credits to the postsecondary institution upon completion of the CTE early/middle college or CTE dual enrollment program.

(e) Provides instruction that is supervised, directed, or coordinated by an appropriately certificated CTE teacher or, for concurrent enrollment courses, a postsecondary faculty member.

(f) Provides for highly integrated student support services that include at least the following:

(*i*) Teachers as academic advisors.

(*ii*) Supervised course selection.

(*iii*) Monitoring of student progress and completion.

(*iv*) Career planning services provided by a local one-stop service center as described in the Michigan ~~Works!~~ **works** one-stop service center system act, 2006 PA 491, MCL 408.111 to 408.135, or by a high school counselor or advisor.

(g) Has courses that are taught on a college campus, are college courses offered at the high school and taught by college faculty, or are courses taught in combination with online instruction.

(6) The department shall distribute funds to eligible CTE early/middle college and CTE dual enrollment programs as follows:

(a) The department shall determine statewide average CTE costs per pupil for each CIP code program by calculating statewide average costs for each CIP code program for the 3 most recent fiscal years.

(b) The distribution to each eligible CTE early/middle college or CTE dual enrollment program is the product of 50% of CTE costs per pupil times the ~~current year~~ pupil enrollment of each eligible CTE early/middle college or CTE dual enrollment program **in the immediately preceding school year**.

(7) In order to receive funds under this section, a CTE early/middle college or CTE dual enrollment program shall furnish to the intermediate district that is the fiscal agent identified in subsection (2), in a form and manner determined by the department, all information needed to administer this program and meet federal reporting requirements; shall allow the department or the department's designee to review all records related to the program for which it receives funds; and shall reimburse the state for all disallowances found in the review, as determined by the department.

(8) There is allocated for ~~2019-2020~~ **2020-2021** from the funds under subsection (1) an amount not to exceed $500,000.00 from the state school aid fund allocation for grants to intermediate districts or consortia of intermediate districts for the purpose of planning for new or expanded early/middle college programs. Applications for grants must be submitted in a form and manner determined by the department. The amount of a grant under this subsection must not exceed ~~$150,000.00.~~ **$50,000.00.** To be eligible for a grant under this subsection, an intermediate district or consortia of intermediate districts must provide matching funds equal to the grant received under this subsection. Notwithstanding section 17b, the department shall make payments under this subsection in the manner determined by the department.

(9) Funds distributed under this section may be used to fund program expenditures that would otherwise be paid from foundation allowances. A program receiving funding under section 61a may receive funding under this section for allowable costs that exceed the reimbursement the program received under section 61a. The combined payments received by a program under section 61a and this section must not exceed the total allowable costs of the program. A program provider shall not use more than 5% of the funds allocated under this section to the program for administrative costs.

(10) If the allocation under subsection (1) is insufficient to fully fund payments as otherwise calculated under this section, the department shall prorate payments under this section on an equal percentage basis.

(11) If pupils enrolled in a career cluster in an eligible CTE early/middle college or CTE dual enrollment program qualify to be reimbursed under this section, those pupils continue to qualify for reimbursement until graduation, even if the career cluster is no longer identified as being in the highest 5 career cluster rankings.

(12) As used in this section:

(a) "Allowable costs" means those costs directly attributable to the program as jointly determined by the ~~Michigan talent investment agency~~ **department of labor and economic opportunity** and the department.

(b) "Career and educational advisory council" means an advisory council to the local workforce development boards located in a ~~prosperity region~~ **workforce development board service delivery area** consisting of educational, employer, labor, and parent representatives.

(c) "CIP" means classification of instructional programs.

(d) "CTE" means career and technical education programs.

(e) "CTE dual enrollment program" means a 4-year high school program of postsecondary courses offered by eligible postsecondary educational institutions that leads to an industry-recognized certification or degree.

(f) "Early/middle college program" means a 5-year high school program.

(g) "Eligible postsecondary educational institution" means that term as defined in section 3 of the career and technical preparation act, 2000 PA 258, MCL 388.1903.

~~(13) The funds allocated under subsection (8) for 2019-2020 are a work project appropriation, and any unexpended funds for 2019-2020 are carried forward into 2020-2021. The purpose of the work project is to continue providing CTE opportunities described in subsection (8). The estimated completion date of the work project is September 30, 2021.~~

Sec. 61d. (1) From the appropriation in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $5,000,000.00 from the state school aid fund for additional payments to districts for career and technical education programs for the purpose of increasing the number of Michigan residents with high-quality degrees or credentials, and to increase the number of pupils who are college- and career-ready upon high school graduation.

(2) The department shall calculate payments to districts under this section in the following manner:

(a) A payment of ~~$50.00~~ **$35.00** multiplied by the number of pupils in grades 9 to 12 who are counted in membership in the district and are enrolled in at least 1 career and technical education program.

(b) An additional payment of ~~$50.00~~ **$35.00** multiplied by the number of pupils in grades 9 to 12 who are counted in membership in the district and are enrolled in at least 1 career and technical education program that provides instruction in critical skills and high-demand career fields.

(3) If the allocation under subsection (1) is insufficient to fully fund payments under subsection (2), the department shall prorate payments under this section on an equal per-pupil basis.

(4) As used in this section:

(a) "Career and technical education program" means a state-approved career and technical education program, as determined by the department.

(b) "Career and technical education program that provides instruction in critical skills and high-demand career field" means a career and technical education program classified under any of the following 2-digit classification of instructional programs (CIP) codes:

(*i*) 01, which refers to "agriculture, agriculture operations, and related sciences".

(*ii*) 03, which refers to "natural resources and conservation".

(*iii*) 10 through 11, which refers to "communications technologies/technicians and support services" and "computer and information sciences and support services".

(*iv*) 14 through 15, which refers to "engineering" and "engineering technologies and engineering-related fields".

(*v*) 26, which refers to "biological and biomedical sciences".

(*vi*) 46 through 48, which refers to "construction trades", "mechanic and repair technologies/technicians", and "precision production".

(*vii*) 51, which refers to "health professions and related programs".

Sec. 62. (1) For the purposes of this section:

(a) "Membership" means for a particular fiscal year the total membership for the immediately preceding fiscal year of the intermediate district and the districts constituent to the intermediate district or the total membership for the immediately preceding fiscal year of the area vocational-technical program.

(b) "Millage levied" means the millage levied for area vocational-technical education ~~pursuant to~~ **under** sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, including a levy for debt service obligations incurred as the result of borrowing for capital outlay projects and in meeting capital projects fund requirements of area vocational-technical education.

(c) "Taxable value" means the total taxable value of the districts constituent to an intermediate district or area vocational-technical education program, except that if a district has elected not to come under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, the membership and taxable value of that district are not included in the membership and taxable value of the intermediate district. However, the membership and taxable value of a district that has elected not to come under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690, are included in the membership and taxable value of the intermediate district if the district meets both of the following:

(*i*) The district operates the area vocational-technical education program pursuant to a contract with the intermediate district.

(*ii*) The district contributes an annual amount to the operation of the program that is commensurate with the revenue that would have been raised for operation of the program if millage were levied in the district for the program under sections 681 to 690 of the revised school code, MCL 380.681 to 380.690.

(2) From the appropriation in section 11, there is allocated an amount not to exceed $9,190,000.00 each fiscal year for ~~2018-2019 and for~~ 2019-2020 **and for 2020-2021** to reimburse intermediate districts and area vocational-technical education programs established under section 690(3) of the revised school code, MCL 380.690, levying millages for area vocational-technical education ~~pursuant to~~ **under** sections 681 to 690 of the revised school code, MCL 380.681 to 380.690. The purpose, use, and expenditure of the reimbursement are limited as if the funds were generated by those millages.

(3) Reimbursement for those millages levied in ~~2017-2018~~ **2018-2019** is made in ~~2018-2019~~ **2019-2020** at an amount per ~~2017-2018~~ **2018-2019** membership pupil computed by subtracting from ~~$205,700.00~~ **$210,800.00** the ~~2017-2018~~ **2018-2019** taxable value behind each membership pupil and multiplying the resulting difference by the ~~2017-2018~~ **2018-2019** millage levied, and then subtracting from that amount the ~~2017-2018~~ **2018-2019** local community stabilization share revenue for area vocational technical education behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362.

(4) Reimbursement for those millages levied in ~~2018-2019~~ **2019-2020** is made in ~~2019-2020~~ **2020-2021** at an amount per ~~2018-2019~~ **2019-2020** membership pupil computed by subtracting from ~~$211,000.00~~ **$218,800.00** the ~~2018-2019~~ **2019-2020** taxable value behind each membership pupil and multiplying the resulting difference by the ~~2018-2019~~ **2019-2020** millage levied, and then subtracting from that amount the ~~2018-2019~~ **2019-2020** local community stabilization share revenue for area vocational technical education behind each membership pupil for reimbursement of personal property exemption loss under the local community stabilization authority act, 2014 PA 86, MCL 123.1341 to 123.1362.

(5) The department shall ensure that the amount paid to a single intermediate district under this section does not exceed 38.4% of the total amount allocated under subsection (2).

(6) The department shall ensure that the amount paid to a single intermediate district under this section is not less than 75% of the amount allocated to the intermediate district under this section for the immediately preceding fiscal year.

Sec. 65. (1) From the appropriation under section 11, there is allocated an amount not to exceed $400,000.00 for ~~2019-2020~~ **2020-2021** for a pre-college engineering K-12 educational program that is focused on the development of a diverse future Michigan workforce, that serves multiple communities within southeast Michigan, that enrolls pupils from multiple districts, and that received funds appropriated for this purpose in the appropriations act that provided the Michigan strategic fund budget for 2014-2015.

(2) To be eligible for funding under this section, a program must have the ability to expose pupils to, and motivate and prepare pupils for, science, technology, engineering, and mathematics careers and postsecondary education with special attention given to groups of pupils who are at-risk and underrepresented in technical professions and careers.

Sec. 67. (1) From the general fund ~~amount~~ **money** appropriated in section 11, there is allocated an amount not to exceed $3,000,000.00 for ~~2019-2020~~ **2020-2021** for college access programs. The programs funded under this section are intended to inform students of college and career options and to provide resources intended to increase the number of pupils who are adequately prepared with the information needed to make informed decisions on college and career. The funds appropriated under this section are intended to be used to increase the number of Michigan residents with high-quality degrees or credentials. Funds appropriated under this section must not be used to supplant funding for counselors already funded by districts.

(2) The ~~talent investment agency of the~~ department of labor and economic opportunity shall administer funds allocated under this section in collaboration with the Michigan college access network. These funds may be used for any of the following purposes:

(a) Michigan college access network operations, programming, and services to local college access networks.

(b) Local college access networks, which are community-based college access/success partnerships committed to increasing the college participation and completion rates within geographically defined communities through a coordinated strategy.

(c) The Michigan college advising program, a program intended to place trained, recently graduated college advisors in high schools that serve significant numbers of low-income and first-generation college-going pupils. State funds used for this purpose may not exceed 33% of the total funds available under this subsection.

(d) Subgrants of up to $5,000.00 to districts with comprehensive high schools that establish a college access team and implement specific strategies to create a college-going culture in a high school in a form

and manner approved by the Michigan college access network and the ~~Michigan talent investment agency.~~**department of labor and economic opportunity.**

(e) The Michigan college access portal, an online one-stop portal to help pupils and families plan and apply for college.

(f) Public awareness and outreach campaigns to encourage low-income and first-generation college-going pupils to take necessary steps toward college and to assist pupils and families in completing a timely and accurate free application for federal student aid.

(g) Subgrants to postsecondary institutions to recruit, hire, and train college student mentors and college advisors to assist high school pupils in navigating the postsecondary planning and enrollment process.

(3) For the purposes of this section, "college" means any postsecondary educational opportunity that leads to a career, including, but not limited to, a postsecondary degree, industry-recognized technical certification, or registered apprenticeship.

Sec. 67a. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed $50,000.00 for 2020-2021 for a grant to be distributed by the department to an organization to provide industrial and technological education and workforce preparation for students and professional development opportunities and support for teachers.

(2) Notwithstanding section 17b, the department shall make grant payments under this section on a schedule determined by the department.

Sec. 74. (1) From the amount appropriated in section 11, there is allocated an amount not to exceed ~~$3,772,900.00~~ **$3,814,500.00** for ~~2019-2020~~ **2020-2021** for the purposes of this section.

(2) From the allocation in subsection (1), there is allocated for ~~each fiscal year~~ **2020-2021** the amount necessary for payments to state supported colleges or universities and intermediate districts providing school bus driver safety instruction under section 51 of the pupil transportation act, 1990 PA 187, MCL 257.1851. The department shall make payments in an amount determined by the department not to exceed the actual cost of instruction and driver compensation for each public or nonpublic school bus driver attending a course of instruction. For the purpose of computing compensation, the hourly rate allowed each school bus driver must not exceed the hourly rate received for driving a school bus. The department shall make reimbursement compensating the driver during the course of instruction to the college or university or intermediate district providing the course of instruction.

(3) From the allocation in subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** the amount necessary to pay the reasonable costs of nonspecial education auxiliary services transportation provided under section 1323 of the revised school code, MCL 380.1323. Districts funded under this subsection do not receive funding under any other section of this article for nonspecial education auxiliary services transportation.

(4) From the funds allocated in subsection (1), there is allocated an amount not to exceed ~~$1,747,900.00~~ **$1,789,500.00** for ~~2019-2020~~ **2020-2021** for reimbursement to districts and intermediate districts for costs associated with the inspection of school buses and pupil transportation vehicles by the department of state police as required under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The department of state police shall prepare a statement of costs attributable to each district for which bus inspections are provided and submit it to the department and to an intermediate district serving as fiduciary in a time and manner determined jointly by the department and the department of state police. Upon review and approval of the statement of cost, the department shall forward to the designated intermediate district serving as fiduciary the amount of the reimbursement on behalf of each district and intermediate district for costs detailed on the statement within 45 days after receipt of the statement. The designated intermediate district shall make payment in the amount specified on the statement to the department of state police within 45 days after receipt of the statement. The total reimbursement of costs under this subsection must not exceed the amount allocated under this subsection. Notwithstanding section 17b, the department shall make payments to eligible entities under this subsection on a schedule prescribed by the department.

Sec. 81. (1) From the appropriation in section 11, there is allocated for ~~2019-2020~~ **2020-2021** to the intermediate districts the sum necessary, but not to exceed $69,138,000.00, to provide state aid to intermediate districts under this section.

(2) The amount allocated under this section to each intermediate district is an amount equal to ~~101%~~ **100%** of the amount allocated to the intermediate district under this section for ~~2018-2019.~~ **2019-2020.** An intermediate district shall use funding provided under this section to comply with requirements of this article and the revised school code that are applicable to intermediate districts, and for which funding is not provided elsewhere in this article, and to provide technical assistance to districts as authorized by the intermediate school board.

(3) Intermediate districts receiving funds under this section shall collaborate with the department to develop expanded professional development opportunities for teachers to update and expand their knowledge and skills needed to support the Michigan merit curriculum.

(4) From the allocation in subsection (1), there is allocated to an intermediate district, formed by the consolidation or annexation of 2 or more intermediate districts or the attachment of a total intermediate district to another intermediate ~~school~~ district or the annexation of all of the constituent K-12 districts of a previously existing intermediate ~~school~~ district which has disorganized, an additional allotment of $3,500.00 each fiscal year for each intermediate district included in the new intermediate district for 3 years following consolidation, annexation, or attachment.

(5) In order to receive funding under this section, an intermediate district shall do all of the following:

(a) Demonstrate to the satisfaction of the department that the intermediate district employs at least 1 person who is trained in pupil accounting and auditing procedures, rules, and regulations.

(b) Demonstrate to the satisfaction of the department that the intermediate district employs at least 1 person who is trained in rules, regulations, and district reporting procedures for the individual-level student data that serves as the basis for the calculation of the district and high school graduation and dropout rates.

(c) Comply with sections 1278a and 1278b of the revised school code, MCL 380.1278a and 380.1278b.

(d) Furnish data and other information required by state and federal law to the center and the department in the form and manner specified by the center or the department, as applicable.

(e) Comply with section 1230g of the revised school code, MCL 380.1230g.

Sec. 94. (1) From the general fund ~~appropriation~~ **money appropriated** in section 11, there is allocated to the department for ~~2019-2020~~ **2020-2021** an amount not to exceed ~~$1,000,000.00~~ **$1,200,000.00** for efforts to increase the number of pupils who participate and succeed in advanced placement and international baccalaureate programs, and to support the college-level examination program (CLEP).

(2) From the funds allocated under this section, the department shall award funds to cover all or part of the costs of advanced placement test fees or international baccalaureate test fees and international baccalaureate registration fees for low-income pupils who take an advanced placement or an international baccalaureate test and CLEP fees for low-income pupils who take a CLEP test.

(3) The department shall only award funds under this section if the department determines that all of the following criteria are met:

(a) Each pupil for whom payment is made meets eligibility requirements of the federal advanced placement test fee program under section 1701 of the no child left behind act of 2001, Public Law 107-110, or under a corresponding provision of the every student succeeds act, Public Law 114-95.

(b) The tests are administered by the college board, the international baccalaureate organization, or another test provider approved by the department.

(c) The pupil for whom payment is made pays at least $5.00 toward the cost of each test for which payment is made.

(4) The department shall establish procedures for awarding funds under this section.

(5) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 94a. (1) There is created within the state budget office in the department of technology, management, and budget the center for educational performance and information. The center shall do all of the following:

(a) Coordinate the collection of all data required by state and federal law from districts, intermediate districts, and postsecondary institutions.

(b) Create, maintain, and enhance this state's P-20 longitudinal data system and ensure that it meets the requirements of subsection (4).

(c) Collect data in the most efficient manner possible in order to reduce the administrative burden on reporting entities, including, but not limited to, electronic transcript services.

(d) Create, maintain, and enhance this state's web-based educational portal to provide information to school leaders, teachers, researchers, and the public in compliance with all federal and state privacy laws. Data must include, but are not limited to, all of the following:

(*i*) Data sets that link teachers to student information, allowing districts to assess individual teacher impact on student performance and consider student growth factors in teacher and principal evaluation systems.

(*ii*) Data access or, if practical, data sets, provided for regional data hubs that, in combination with local data, can improve teaching and learning in the classroom.

(*iii*) Research-ready data sets for researchers to perform research that advances this state's educational performance.

(e) Provide data in a useful manner to allow state and local policymakers to make informed policy decisions.

(f) Provide public reports to the residents of this state to allow them to assess allocation of resources and the return on their investment in the education system of this state.

(g) Other functions as assigned by the state budget director.

(2) Each state department, officer, or agency that collects information from districts, intermediate districts, or postsecondary institutions as required under state or federal law shall make arrangements with the center to ensure that the state department, officer, or agency is in compliance with subsection (1). This subsection does not apply to information collected by the department of treasury under the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a; the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821; the school bond qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to 388.1939; or section 1351a of the revised school code, MCL 380.1351a.

(3) The center may enter into any interlocal agreements necessary to fulfill its functions.

(4) The center shall ensure that the P-20 longitudinal data system required under subsection (1)(b) meets all of the following:

(a) Includes data at the individual student level from preschool through postsecondary education and into the workforce.

(b) Supports interoperability by using standard data structures, data formats, and data definitions to ensure linkage and connectivity in a manner that facilitates the exchange of data among agencies and institutions within the state and between states.

(c) Enables the matching of individual teacher and student records so that an individual student may be matched with those teachers providing instruction to that student.

(d) Enables the matching of individual teachers with information about their certification and the institutions that prepared and recommended those teachers for state certification.

(e) Enables data to be easily generated for continuous improvement and decision-making, including timely reporting to parents, teachers, and school leaders on student achievement.

(f) Ensures the reasonable quality, validity, and reliability of data contained in the system.

(g) Provides this state with the ability to meet federal and state reporting requirements.

(h) For data elements related to preschool through grade 12 and postsecondary, meets all of the following:

(*i*) Contains a unique statewide student identifier that does not permit a student to be individually identified by users of the system, except as allowed by federal and state law.

(*ii*) Contains student-level enrollment, demographic, and program participation information.

(*iii*) Contains student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete education programs.

(*iv*) Has the capacity to communicate with higher education data systems.

(i) For data elements related to preschool through grade 12 only, meets all of the following:

(*i*) Contains yearly test records of individual students for assessments approved by DED-OESE for accountability purposes under section 1111(b) of the elementary and secondary education act of 1965, 20 USC 6311, including information on individual students not tested, by grade and subject.

(*ii*) Contains student-level transcript information, including information on courses completed and grades earned.

(*iii*) Contains student-level college readiness test scores.

(j) For data elements related to postsecondary education only:

(*i*) Contains data that provide information regarding the extent to which individual students transition successfully from secondary school to postsecondary education, including, but not limited to, all of the following:

(A) Enrollment in remedial coursework.

(B) Completion of 1 year's worth of college credit applicable to a degree within 2 years of enrollment.

(*ii*) Contains data that provide other information determined necessary to address alignment and adequate preparation for success in postsecondary education.

(5) From the general fund ~~appropriation~~ **money appropriated** in section 11, there is allocated an amount not to exceed ~~$16,045,800.00~~ **$16,848,900.00** for ~~2019-2020~~ **2020-2021** to the department of technology, management, and budget to support the operations of the center. In addition, from the federal funds appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** the amount necessary, estimated at $193,500.00, to support the operations of the center and to establish a P-20 longitudinal data system necessary for state and federal reporting purposes. The center shall cooperate with the department to ensure that this state is in compliance with federal law and is maximizing opportunities for increased federal funding to improve education in this state.

(6) From the funds allocated in subsection (5), the center may use an amount determined by the center for competitive grants for ~~2019-2020~~ **2020-2021** to support collaborative efforts on the P-20 longitudinal data system. All of the following apply to grants awarded under this subsection:

(a) The center shall award competitive grants to eligible intermediate districts or a consortium of intermediate districts based on criteria established by the center.

(b) Activities funded under the grant must support the P-20 longitudinal data system portal and may include portal hosting, hardware and software acquisition, maintenance, enhancements, user support and related materials, and professional learning tools and activities aimed at improving the utility of the P-20 longitudinal data system.

(c) An applicant that received a grant under this subsection for the immediately preceding fiscal year has priority for funding under this section. However, after 3 fiscal years of continuous funding, an applicant is required to compete openly with new applicants.

(7) Funds allocated under this section that are not expended in the fiscal year in which they were allocated may be carried forward to a subsequent fiscal year and are appropriated for the purposes for which the funds were originally allocated.

(8) The center may bill departments as necessary in order to fulfill reporting requirements of state and federal law. The center may also enter into agreements to supply custom data, analysis, and reporting to other principal executive departments, state agencies, local units of government, and other individuals and organizations. The center may receive and expend funds in addition to those authorized in subsection (5) to cover the costs associated with salaries, benefits, supplies, materials, and equipment necessary to provide such data, analysis, and reporting services.

(9) As used in this section:

(a) "DED-OESE" means the United States Department of Education Office of Elementary and Secondary Education.

(b) "State education agency" means the department.

Sec. 94b. From the general fund money appropriated in section 11, there is allocated an amount not to exceed $100.00 for 2020-2021 to the connecting information in education committee created in this section. The connecting information in education committee is created for 2020-2021. Both of the following apply to the committee described in this section:

(a) The committee shall provide recommendations concerning, at a minimum, all of the following to the legislature and the governor:

(*i*) How to lead the replication and scaling of best practices in instruction, administration, and student support to enable this state to be among the fastest improving states in the nation in academic gains for all student groups.

(*ii*) How to close the educational achievement gap based on income, race, geography, language, gender, and student needs.

(*iii*) How to prepare every student for success after high school.

(b) The committee shall work in consultation with the department, the center, the executive branch, the legislature, education stakeholders, and other nongovernmental organizations, to provide recommendations based on research to school leaders and educators as they implement best practices proven to improve student performance.

Sec. 95b. (1) **From the general fund money appropriated under section 11, there is allocated an amount not to exceed $2,000,000.00 for the model value-added growth and projection analytics system.** The department shall continue the model value-added growth and projection analytics system and incorporate that model into its reporting requirements under the every student succeeds act, Public Law 114-95. It is the intent of the legislature to fund the model under this section for 2021-2022 only if at least 50% of districts that are not public school academies opt in to student-teacher linkages provided by the model value-added growth and projection analytics system and there is verification that the value-added reporting platform continued hosting and delivery of historical reporting as determined based on the report under subsection (5). The model described in this subsection must do at least all of the following:

(a) Utilize existing assessments and any future assessments that are suitable for measuring student growth.

(b) Report student growth measures at the district, school, teacher, and subgroup levels.

(c) Recognize the growth of tested students, including those who may have missing assessment data.

(d) Include all available prior standardized assessment data that meet inclusion criteria across grades, subjects, and state and local assessments.

(e) Allow student growth results to be disaggregated.

(f) Provide individual student projections showing the probability of a student reaching specific performance levels on future assessments. Given school closures and extended cancellations related to COVID-19, the data under this subdivision may be used to inform decisions about student placement or students that could benefit from additional supports or interventions.

(g) Demonstrate any prior success with this state's assessments through the Michigan council of educator effectiveness teacher evaluation pilot.

(h) Demonstrate prior statewide implementation in at least 2 other states for at least 10 years.

(i) Have a native roster verification system built into the value-added reporting platform that has been implemented statewide in at least 2 other states.

(j) Have a ~~"Help/Contact Us"~~ **"help/contact us"** ticketing system built into the value-added reporting platform.

(k) Given school closures that have occurred pursuant to an executive order issued by the governor, the value-added reporting platform must provide continued hosting and delivery of reporting and offer the department additional supports in the areas of research, analysis, web reporting, and training.

(*l*) The department and the platform vendor shall provide statewide training for educators to understand the reporting that details the impact to student learning and growth.

(2) The department shall provide internet-based electronic student growth and projection reporting based on the model under subsection (1) to educators at the school, district, and state levels. The model must include role-based permissions that allow educators to access information about the performance of the students within their immediate responsibility in accordance with applicable privacy laws.

(3) The model under subsection (1) must not be a mandatory part of teacher evaluation or educator pay-for-performance systems.

(4) The model under subsection (1) must be a model that received funding under this section in 2018-2019.

(5) By March 31, 2021, the department shall work with the center to provide a report to the senate and house appropriations subcommittees on state school aid and the senate and house fiscal agencies regarding the number of districts that are not public school academies that opted in to student-teacher linkages in their use of the model value-added growth and projection analytics system under this section. The report under this subsection must also include verification that the value-added reporting platform continued hosting and delivery of historical reporting and specify any additional research and analysis offered to the department.

Sec. 98. (1) From the general fund money appropriated in section 11, there is allocated an amount not to exceed ~~$6,312,500.00~~ **$7,500,000.00** for ~~2019-2020~~ **2020-2021** for the purposes described in this section. The Michigan Virtual University shall provide a report to the legislature not later than November 1 of each year that includes its mission, its plans, and proposed benchmarks it must meet, including a plan to achieve the organizational priorities identified in this section, in order to receive full funding for ~~2020-2021.~~ **2021-2022.** Not later than March 1 of each year, the Michigan Virtual University shall provide an update to the house and senate appropriations subcommittees on school aid to show the progress being made to meet the benchmarks identified.

(2) The Michigan Virtual University shall operate the Michigan Virtual Learning Research Institute. The Michigan Virtual Learning Research Institute shall do all of the following:

(a) Support and accelerate innovation in education through the following activities:

(*i*) Test, evaluate, and recommend as appropriate new technology-based instructional tools and resources.

(*ii*) Research, design, and recommend virtual education delivery models for use by pupils and teachers that include age-appropriate multimedia instructional content.

(*iii*) Research, develop, and recommend annually to the department criteria by which cyber schools and virtual course providers should be monitored and evaluated to ensure a quality education for their pupils.

(*iv*) Based on pupil completion and performance data reported to the department or the center from cyber schools and other virtual course providers operating in this state, analyze the effectiveness of virtual learning delivery models in preparing pupils to be college- and career-ready and publish a report that highlights enrollment totals, completion rates, and the overall impact on pupils. The Michigan Virtual Learning Research Institute shall submit the report to the house and senate appropriations subcommittees on state school aid, the state budget director, the house and senate fiscal agencies, the department, districts, and intermediate districts not later than March 31 of each year.

(*v*) Provide an extensive professional development program to at least 30,000 educational personnel, including teachers, school administrators, and school board members, that focuses on the effective integration of virtual learning into curricula and instruction. The Michigan Virtual Learning Research Institute is encouraged to work with the MiSTEM advisory council created under section 99s to coordinate professional development of teachers in applicable fields. In addition, the Michigan Virtual Learning Research Institute and external stakeholders are encouraged to coordinate with the department for professional development in this state. Not later than December 1 of each year, the Michigan Virtual Learning Research Institute shall submit a report to the house and senate appropriations subcommittees on state school aid, the state budget director, the house and senate fiscal agencies, and the department on the number of teachers, school administrators, and school board members who have received professional development services from the Michigan Virtual University. The report must also identify barriers and other opportunities to encourage the adoption of virtual learning in the public education system.

(*vi*) Identify and share best practices for planning, implementing, and evaluating virtual and blended education delivery models with intermediate districts, districts, and public school academies to accelerate the adoption of innovative education delivery models statewide.

(b) Provide leadership for this state's system of virtual learning education by doing the following activities:

(*i*) Develop and report policy recommendations to the governor and the legislature that accelerate the expansion of effective virtual learning in this state's schools.

(*ii*) Provide a clearinghouse for research reports, academic studies, evaluations, and other information related to virtual learning.

(*iii*) Promote and distribute the most current instructional design standards and guidelines for virtual teaching.

(*iv*) In collaboration with the department and interested colleges and universities in this state, support implementation and improvements related to effective virtual learning instruction.

(*v*) Pursue public/private partnerships that include districts to study and implement competency-based technology-rich virtual learning models.

(*vi*) Create a statewide network of school-based mentors serving as liaisons between pupils, virtual instructors, parents, and school staff, as provided by the department or the center, and provide mentors with research-based training and technical assistance designed to help more pupils be successful virtual learners.

(*vii*) Convene focus groups and conduct annual surveys of teachers, administrators, pupils, parents, and others to identify barriers and opportunities related to virtual learning.

(*viii*) Produce an annual consumer awareness report for schools and parents about effective virtual education providers and education delivery models, performance data, cost structures, and research trends.

(*ix*) Provide an internet-based platform that educators can use to create student-centric learning tools and resources for sharing in the state's open educational resource repository and facilitate a user network that assists educators in using the content creation platform and state repository for open educational resources. As part of this initiative, the Michigan Virtual University shall work collaboratively with districts and intermediate districts to establish a plan to make available virtual resources that align to Michigan's K-12 curriculum standards for use by students, educators, and parents.

(*x*) Create and maintain a public statewide catalog of virtual learning courses being offered by all public schools and community colleges in this state. The Michigan Virtual Learning Research Institute shall identify and develop a list of nationally recognized best practices for virtual learning and use this list to support reviews of virtual course vendors, courses, and instructional practices. The Michigan Virtual Learning Research Institute shall also provide a mechanism for intermediate districts to use the identified best practices to review content offered by constituent districts. The Michigan Virtual Learning Research Institute shall review the virtual course offerings of the Michigan Virtual University, and make the results from these reviews available to the public as part of the statewide catalog. The Michigan Virtual Learning Research Institute shall ensure that the statewide catalog is made available to the public on the Michigan Virtual University website and shall allow the ability to link it to each district's website as provided for in section 21f. The statewide catalog must also contain all of the following:

(A) The number of enrollments in each virtual course in the immediately preceding school year.

(B) The number of enrollments that earned 60% or more of the total course points for each virtual course in the immediately preceding school year.

(C) The pass rate for each virtual course.

(*xi*) Support registration, payment services, and transcript functionality for the statewide catalog and train key stakeholders on how to use new features.

(*xii*) Collaborate with key stakeholders to examine district level accountability and teacher effectiveness issues related to virtual learning under section 21f and make findings and recommendations publicly available.

(*xiii*) Provide a report on the activities of the Michigan Virtual Learning Research Institute.

(3) To further enhance its expertise and leadership in virtual learning, the Michigan Virtual University shall continue to operate the Michigan Virtual School as a statewide laboratory and quality model of instruction by implementing virtual and blended learning solutions for Michigan schools in accordance with the following parameters:

(a) The Michigan Virtual School must maintain its accreditation status from recognized national and international accrediting entities.

(b) The Michigan Virtual University shall use no more than $1,000,000.00 of the amount allocated under this section to subsidize the cost paid by districts for virtual courses.

(c) In providing educators responsible for the teaching of virtual courses as provided for in this section, the Michigan Virtual School shall follow the requirements to request and assess, and the department of state

police shall provide, a criminal history check and criminal records check under sections 1230 and 1230a of the revised school code, MCL 380.1230 and 380.1230a, in the same manner as if the Michigan Virtual School were a school district under those sections.

(4) From the funds allocated under subsection (1), the Michigan Virtual University shall allocate up to $500,000.00 to support the expansion of new online and blended educator professional development programs.

(5) If the course offerings are included in the statewide catalog of virtual courses under subsection (2)(b)(*x*), the Michigan Virtual School operated by the Michigan Virtual University may offer virtual course offerings, including, but not limited to, all of the following:

(a) Information technology courses.

(b) College level equivalent courses, as defined in section 1471 of the revised school code, MCL 380.1471.

(c) Courses and dual enrollment opportunities.

(d) Programs and services for at-risk pupils.

(e) High school equivalency test preparation courses for adjudicated youth.

(f) Special interest courses.

(g) Professional development programs for teachers, school administrators, other school employees, and school board members.

(6) If a home-schooled or nonpublic school student is a resident of a district that subscribes to services provided by the Michigan Virtual School, the student may use the services provided by the Michigan Virtual School to the district without charge to the student beyond what is charged to a district pupil using the same services.

(7) Not later than December 1 of each fiscal year, the Michigan Virtual University shall provide a report to the house and senate appropriations subcommittees on state school aid, the state budget director, the house and senate fiscal agencies, and the department that includes at least all of the following information related to the Michigan Virtual School for the preceding state fiscal year:

(a) A list of the districts served by the Michigan Virtual School.

(b) A list of virtual course titles available to districts.

(c) The total number of virtual course enrollments and information on registrations and completions by course.

(d) The overall course completion rate percentage.

(8) In addition to the information listed in subsection (7), the report under subsection (7) must also include a plan to serve at least 600 schools with courses from the Michigan Virtual School or with content available through the internet-based platform identified in subsection (2)(b)(*ix*).

(9) The governor may appoint an advisory group for the Michigan Virtual Learning Research Institute established under subsection (2). The members of the advisory group serve at the pleasure of the governor and without compensation. The purpose of the advisory group is to make recommendations to the governor, the legislature, and the president and board of the Michigan Virtual University that will accelerate innovation in this state's education system in a manner that will prepare elementary and secondary students to be career and college ready and that will promote the goal of increasing the percentage of residents of this state with high-quality degrees and credentials to at least 60% by 2025.

(10) Not later than November 1 of each year, the Michigan Virtual University shall submit to the house and senate appropriations subcommittees on state school aid, the state budget director, and the house and senate fiscal agencies a detailed budget for that fiscal year that includes a breakdown on its projected costs to deliver virtual educational services to districts and a summary of the anticipated fees to be paid by districts for those services. Not later than March 1 each year, the Michigan Virtual University shall submit to the house and senate appropriations subcommittees on state school aid, the state budget director, and the house and senate fiscal agencies a breakdown on its actual costs to deliver virtual educational services to districts and a summary of the actual fees paid by districts for those services based on audited financial statements for the immediately preceding fiscal year.

(11) As used in this section:

(a) "Blended learning" means a hybrid instructional delivery model where pupils are provided content, instruction, and assessment, in part at a supervised educational facility away from home where the pupil and a teacher with a valid Michigan teaching certificate are in the same physical location and in part through internet-connected learning environments with some degree of pupil control over time, location, and pace of instruction.

(b) "Cyber school" means a full-time instructional program of virtual courses for pupils that may or may not require attendance at a physical school location.

(c) "Virtual course" means a course of study that is capable of generating a credit or a grade and that is provided in an interactive learning environment in which the majority of the curriculum is delivered using the internet and in which pupils are separated from their instructor or teacher of record by time or location, or both.

~~(12) It is the intent of the legislature not to allocate an amount greater than $6,342,500.00 for 2020-2021 for the purposes of this section.~~

Sec. 98a. (1) In order to receive state aid under this article for 2020-2021, a district must provide, for the 2020-2021 school year, instruction under an extended COVID-19 learning plan that has been approved by an intermediate district or authorizing body, as applicable, under subsection (2). It is the intent of the legislature that extended COVID-19 learning plans described in this subsection provide districts with maximum flexibility to adapt their educational programs for some or all pupils at some or all of the schools operated by the district to respond to the COVID-19 pandemic. An extended COVID-19 learning plan described in this subsection must include all of the following elements:

(a) A statement indicating why an extended COVID-19 learning plan is necessary to increase pupil engagement and achievement for the 2020-2021 school year.

(b) The educational goals expected to be achieved for the 2020-2021 school year. The educational goals described in this subdivision must not be utilized to determine state policy. The district must establish all of its goals under this subdivision by not later than September 15, 2020. An extended COVID-19 learning plan described in this subsection must specify which educational goals described in this subdivision are expected to be achieved by the middle of the school year and which goals are expected to be achieved by the end of the school year. All of the following apply to the educational goals described in this subdivision:

(*i*) The goals must include increased pupil achievement or, if growth can be validly and reliably measured using a benchmark assessment or benchmark assessments, growth on a benchmark assessment or benchmark assessments described in subparagraph (*ii*) in the aggregate and for all subgroups of pupils.

(*ii*) The goals must include an assurance that the district shall select a benchmark assessment or benchmark assessments that are aligned to state standards and an assurance that the district shall administer the benchmark assessment or benchmark assessments to all pupils as prescribed under section 104 to determine whether pupils are making meaningful progress toward mastery of these standards.

(*iii*) The goals must be measurable through a benchmark assessment or benchmark assessments described in subparagraph (*ii*).

(c) A description of how instruction will be delivered during the 2020-2021 school year. Instruction, as described in this subdivision, may be delivered at school or at a different location, in person, online, digitally, by other remote means, in a synchronous or asynchronous format, or any combination thereof, but, except as otherwise provided in this subdivision, must be delivered as included in the description. If the description of instructional delivery under this subdivision differs from the delivery of instruction re-confirmed under this subdivision, then instruction must be delivered as re-confirmed. Thirty days after the approval of the plan under subsection (2), and ~~every 30 days~~ **each month** thereafter, the district must, at a meeting of the board or board of directors, as applicable, of the district, re-confirm how instruction is going to be delivered during the 2020-2021 school year. Public comment must be solicited from the parents or legal guardians of the pupils enrolled in the district during a meeting described in this subdivision. **For each reconfirmation described in this subdivision, the district shall report to the center, in a form and manner prescribed by the center, the instructional delivery method that was reconfirmed; how that instruction will be delivered for each grade level offered by the district, including pre-kindergarten, as applicable; and whether or not, as determined by the department in consultation with the center, the district is offering higher levels of in-person instruction for English language learners, special education students, or other special populations.**

(d) A description of how instruction for core academic areas provided under the extended COVID-19 learning plan will expose each pupil to the academic standards that apply for each pupil's grade level or courses in the same scope and sequence as the district had planned for that exposure to occur for in-person instruction, as applicable, and a description of how pupil progress toward mastery of the standards described in this subdivision will be graded or otherwise reported to the pupil and the pupil's parent or legal guardian.

(e) If the district is delivering pupil instruction virtually, an assurance and description of how pupils will be provided with equitable access to technology and the internet necessary to participate in instruction. This subdivision does not prohibit a district from providing pupil instruction through nonvirtual educational materials.

(f) A description of how the district will ensure that students with disabilities will be provided with equitable access to instruction accommodation in accordance with applicable state and federal laws, rules, and regulations.

(g) A requirement that the district, in consultation with a local health department, as that term is defined in section 1105 of the public health code, **1978 PA 368,** MCL 333.1105, and district employees, develop districtwide guidelines concerning appropriate methods for delivering pupil instruction for the 2020-2021 school year that are based on local data that are based on key metrics. However, regardless of the guidelines developed under this subdivision, a determination concerning the method for delivering pupil instruction remains with the district. As used in this subdivision, "key metrics" means, at a minimum, all of the following:

(*i*) The trend of COVID-19 cases or positive COVID-19 tests, hospitalizations due to COVID-19, and the number of deaths resulting from COVID-19 over a 14-day period.

(*ii*) COVID-19 cases for each day for every 1 million individuals.

(*iii*) The percentage of positive COVID-19 tests over a 4-week period.

(*iv*) Health care capacity strength.

(*v*) Testing, tracing, and containment infrastructure with regard to COVID-19.

(h) A provision that, if the district determines that it is safe to provide in-person pupil instruction to pupils, the district shall prioritize providing in-person pupil instruction to pupils in grades K to 5 who are enrolled in the district.

(i) A requirement that the district shall ensure that 2 2-way interactions occur between a pupil enrolled in the district and the pupil's teacher or at least 1 of the pupil's teachers **or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress** during each week of the school year for at least 75% of pupils enrolled in the district. A district may utilize 2-way interactions that occur under this subdivision toward meeting the requirement under section 101(3)(h). The district shall publicly announce its weekly interaction rates under this subdivision at each reconfirmation meeting described in subdivision (c) and make those rates accessible through the transparency reporting link located on the district's website each month. As used in this subdivision, "2-way interaction" means a communication that occurs between a pupil and the pupil's teacher or at least 1 of the pupil's teachers **or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress**, where 1 party initiates communication and a response from the other party follows that communication, and that is relevant to course progress or course content for at least 1 of the courses in which the pupil is enrolled **or relevant to the pupil's overall academic progress or grade progression**. Responses, as described in this subdivision, must be to ~~the~~ communication initiated by the teacher**, by another district employee who has responsibility for the pupil's learning, grade progression, or academic progress, or by the pupil**, and not some other action taken. The communication described in this subdivision may occur through, but is not limited to, any of the following means:

(*i*) Electronic mail.

(*ii*) Telephone.

(*iii*) Instant messaging.

(*iv*) Face-to-face conversation.

(2) A district that is not a public school academy that intends to provide instruction under an extended COVID-19 learning plan shall submit its extended COVID-19 learning plan described in subsection (1) to the intermediate district in which the district is located by not later than October 1, 2020, and**, except as otherwise provided in this subsection,** a district that is a public school academy that intends to provide instruction under an extended COVID-19 learning plan shall submit its extended COVID-19 learning plan described in subsection (1) to its authorizing body by not later than October 1, 2020, for approval. **A district that is a public school academy that, by agreement, provides educational services for the residents of a district that is not a public school academy and that does not directly provide public educational services to its residents that intends to provide instruction under an extended COVID-19 learning plan shall submit its extended COVID-19 learning plan described in subsection (1) to the intermediate district in which it is located not later than October 1, 2020 for approval.** An intermediate district or authorizing body, as applicable, shall approve an extended COVID-19 learning plan submitted for approval under this subsection **by not later than October 9, 2020** if the plan includes all of the elements required for inclusion in the plan under subsection (1). If an intermediate district or authorizing body, as applicable, approves of a district's extended COVID-19 learning plan under this subsection, the intermediate district or authorizing body, as applicable, shall transmit copies of the approved plan to the superintendent of public instruction and the state treasurer.

(3) An extended COVID-19 learning plan described in subsection (1) and approved under subsection (2) must be made accessible through the transparency reporting link located on the district's website by not later than October ~~1,~~ **12,** 2020.

(4) ~~Both~~ **All** of the following apply to a district that is providing instruction under an extended COVID-19 learning plan approved under this section:

(a) By not later than January 15, 2021, the district shall create a report that includes information regarding both of the following and shall ensure that the report under this subdivision can be accessed through the transparency reporting link located on the district's website:

(*i*) The amount and type of training provided during the current school year as of the date of the report to teachers of the district through professional development that focuses on how to deliver virtual content.

(*ii*) The amount and type of training provided during the current school year as of the date of the report to the parents and legal guardians of pupils and to pupils on how to access and use virtual content provided by the district.

(b) ~~(a)~~ By not later than February 1, 2021, the district shall create a report concerning progress made in meeting the educational goals described in subsection (1) that the district expected would be achieved by the middle of the school year and shall ensure that the report under this subdivision can be accessed through the transparency reporting link located on the district's website.

(c) ~~(b)~~ By not later than the last day of the 2020-2021 school year, the district shall create a report concerning progress made in meeting the educational goals described in subsection (1) that the district expected would be achieved by the end of the school year and shall ensure that the report under this subdivision can be accessed through the transparency reporting link located on the district's website.

(5) This section does not apply to a district that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551.

Sec. 98d. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2020-2021 an amount not to exceed $2,000,000.00 to Northern Michigan University to support the MLC as described in this section. Northern Michigan University shall not retain any portion of the funding received under this section for administrative purposes and shall provide funding to support the MLC. All of the following apply to the MLC:

(a) The MLC must be created to help bridge equity gaps in K to 12 education linked to a student's ability to engage in distance learning because of inadequate internet access or a lack of devices in the home.

(b) The MLC shall provide over-the-air broadcasts 24 hours each day for 7 days each week of quality instructional content that is aligned with this state's K to 12 educational standards. Over-the-air broadcasts as described in this subdivision must be streamed live and must be archived for on-demand viewing on a companion website, along with additional learning materials relevant to lessons.

(c) The MLC must be managed and operated by DPTV, and DPTV shall assume all risk, liability, and responsibility for the MLC in accordance with regulations by the U.S. Federal Communications Commission, PBS broadcast standards, and standard nonprofit business standards. DPTV shall serve as the fiduciary agent and service manager for the MLC. The MLC shall originate from a central operations center that is responsible for providing the infrastructure, content, and engagement of the MLC in partnership with this state's educational leadership organizations.

(d) The MLC shall require that DPTV provide technology, funding, staff training, and central management of the MLC to station partners to insert additional channels into each station's broadcast streams and to support staffing and engagement as outlined in a memorandum of understanding among the stations.

(e) The MLC shall require that DPTV partner with at least 5 other Michigan public television stations including, but not limited to, WKAR, WGVU, WDCQ, WCMU, and WNMU, to deliver the over-the-air MLC broadcasts described in this section and to support engagement with local educators. Stations described in this subdivision must be able to use the infrastructure provided by the MLC to develop their own local content that best serves their communities.

(f) The MLC shall not use the funds received from Northern Michigan University under this section in support of the MLC for any purposes fully funded by the governor's emergency education relief fund grant.

(2) Not later than February 1, 2021, the MLC shall provide a report to the house and senate appropriations subcommittees responsible for state school aid, the house and senate fiscal agencies, and the state budget director detailing the MLC's compliance with ensuring that conditions listed under subsection (1) were met.

(3) Notwithstanding section 17b, the department shall make payments under this section not later than December 1, 2020.

(4) As used in this section:

(a) "DPTV" means Detroit public television.

(b) "MLC" means the Michigan learning channel.

Sec. 99h. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed ~~$3,900,000.00~~ **$4,400,000.00** for ~~2019-2020~~ **2020-2021** for competitive grants to districts and intermediate districts**, and from the general fund money appropriated in section 11, there is allocated $300,000.00 for 2020-2021 for competitive grants to nonpublic schools,** that provide pupils in grades ~~K~~ **pre-K** to 12 with expanded opportunities to improve mathematics, science, and technology skills by participating in events hosted by a science and technology development program known as FIRST (for inspiration and recognition of science and technology) Robotics, including JR FIRST Lego League, FIRST Lego League, FIRST Tech challenge, and FIRST Robotics competition, or other competitive robotics programs, including VEX and those hosted by the Robotics Education and Competition (REC) Foundation. Programs funded under this section are intended to increase the number of pupils demonstrating proficiency in science and mathematics on the state assessments and to increase the number of pupils who are college- and career-ready upon high school graduation. Notwithstanding section 17b, the department shall make grant payments to districts**, nonpublic schools,** and intermediate districts under this section on a schedule determined by the department. The department shall set maximum grant awards for each different level of **programming and** competition in a manner that both maximizes the number of teams that will be able to receive funds and expands the geographical distribution of teams.

(2) A district**, nonpublic school,** or intermediate district applying for a grant under this section shall submit an application in a form and manner prescribed by the department. To be eligible for a grant, a district**, nonpublic school,** or intermediate district ~~shall~~ **must** demonstrate in its application that the district**, nonpublic school,** or intermediate district has established a partnership for the purposes of the robotics program with at least 1 sponsor, business entity, higher education institution, or technical school, shall submit a spending plan, and shall ~~pay~~ **provide a local in-kind or cash match from other private or local funds of** at least 25% of the cost of the robotics program **award**.

(3) The department shall distribute the grant funding under this section for the following purposes:

(a) Grants to districts**, nonpublic schools,** or intermediate districts to pay for stipends not to exceed ~~$1,500.00 for 1 coach per team.~~**$1,500.00 per building for coaching.**

(b) Grants to districts**, nonpublic schools,** or intermediate districts for event registrations, materials, travel costs, and other expenses associated with the preparation for and attendance at robotics events and competitions. ~~Each grant recipient shall provide a local match from other private or local funds for the funds received under this subdivision equal to at least 50% of the costs of participating in an event.~~

(c) Grants to districts**, nonpublic schools,** or intermediate districts for awards to teams that advance to the ~~state and world championship competitions.~~ **next levels of competition as determined by the department.** The department shall determine an equal amount per team for those teams that advance**.** ~~to the state championship and a second equal award amount to those teams that advance to the world championship.~~

(4) The funds allocated under this section for ~~2019-2020~~ **2020-2021** are a work project appropriation, and any unexpended funds for ~~2019-2020~~ **2020-2021** are carried forward into ~~2020-2021.~~ **2021-2022.** The purpose of the work project is to continue support of FIRST Robotics and must not be used to support other robotics competitions. The estimated completion date of the work project is September 30, ~~2022.~~**2023.**

(5) A nonpublic school that receives a grant under this section may use the funds for either robotics or Science Olympiad programs.

(6) To be eligible to receive funds under this section, a nonpublic school must be a nonpublic school registered with the department and must meet all applicable state reporting requirements for nonpublic schools.

Sec. 99i. From the general fund money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $150,000.00 to support the Michigan council of women in technology foundation. The funds awarded under this section must be used to support the girls-exploring-together-information-technology clubs for middle and high school girls that provide structured hands-on learning activities through a comprehensive technology-focused curriculum.

Sec. 99s. (1) From the funds appropriated under section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $7,634,300.00 from the state school aid fund appropriation and an amount not to exceed $300,000.00 from the general fund appropriation for Michigan science, technology, engineering, and mathematics (MiSTEM) programs. In addition, from the federal funds appropriated in section 11, there is allocated **to the department** for ~~2019-2020~~ **2020-2021** an amount estimated at $235,000.00 from DED-OESE, title II, mathematics and science partnership grants. The MiSTEM network may receive funds from private sources. If the MiSTEM network receives funds from private sources, the MiSTEM network shall

expend those funds in alignment with the statewide STEM strategy. Programs funded under this section are intended to increase the number of pupils demonstrating proficiency in science and mathematics on the state assessments**,** ~~and~~ to increase the number of pupils who are college- and career-ready upon high school graduation**, and to promote certificate and degree attainment in STEM fields**. Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

(2) All of the following apply to the MiSTEM advisory council:

(a) The MiSTEM advisory council is created. The MiSTEM advisory council shall provide to the governor, legislature, department of labor and economic opportunity, and department recommendations designed to improve and promote innovation in STEM education and to prepare students for careers in science, technology, engineering, and mathematics.

(b) The MiSTEM advisory council created under subdivision (a) consists of the following members:

(*i*) The governor shall appoint 11 voting members who are representative of business sectors that are important to Michigan's economy and rely on a STEM-educated workforce, nonprofit organizations and associations that promote STEM education, K-12 and postsecondary education entities involved in STEM-related career education, or other sectors as considered appropriate by the governor. Each of these members serves at the pleasure of the governor and for a term determined by the governor.

(*ii*) The senate majority leader shall appoint 2 members of the senate to serve as nonvoting, ex-officio members of the MiSTEM advisory council, including 1 majority party member and 1 minority party member.

(*iii*) The speaker of the house of representatives shall appoint 2 members of the house of representatives to serve as nonvoting, ex-officio members of the MiSTEM advisory council, including 1 majority party member and 1 minority party member.

(*iv*) The governor shall appoint 1 state officer or employee to serve as a nonvoting, ex-officio member of the MiSTEM advisory council.

(c) Each member of the MiSTEM advisory council serves without compensation.

(d) The MiSTEM advisory council annually shall review and make recommendations to the governor, the legislature, and the department concerning changes to the statewide strategy adopted by the council for delivering STEM education-related opportunities to pupils. The MiSTEM advisory council shall use funds received under this subsection to ensure that its members or their designees are trained in the Change the Equation STEMworks rating system program for the purpose of rating STEM programs.

(3) ~~(e)~~ The MiSTEM advisory council shall make specific funding recommendations for the funds allocated under subsection ~~(3)~~ **(4)** by December 15 of each fiscal year. Each specific funding recommendation must be for a program approved by the MiSTEM advisory council. **All of the following apply:**

(a) To be eligible for MiSTEM advisory council approval **as described in this subsection**, a program must satisfy all of the following:

(*i*) Align with this state's academic standards.

(*ii*) Have STEMworks certification.

(*iii*) Provide project-based experiential learning, student programming, or educator professional learning experiences.

(*iv*) Focus predominantly on classroom-based STEM experiences or professional learning experiences.

(b) ~~(f)~~ The MiSTEM advisory council shall approve programs that represent all network regions and include a diverse array of options for students and educators and at least 1 program in each of the following areas:

(*i*) Robotics.

(*ii*) Computer science or coding.

(*iii*) Engineering or bioscience.

(c) ~~(g)~~ The MiSTEM advisory council is encouraged to work with the MiSTEM network to develop locally and regionally developed programs and professional learning experiences for the programs on the list of approved programs.

(d) ~~(h)~~ If the MiSTEM advisory council is unable to make specific funding recommendations by December 15 of a fiscal year, the department shall award and distribute the funds allocated under subsection ~~(3)~~ **(4)** on a competitive grant basis that at least follows the statewide STEM strategy plan and rating system recommended by the MiSTEM advisory council. Each grant must provide STEM education-related opportunities for pupils.

(e) ~~(i)~~ The MiSTEM advisory council shall work with the executive director of the MiSTEM network to implement the statewide STEM strategy adopted by the MiSTEM advisory council.

(4) ~~(3)~~ From the state school aid fund money allocated under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $3,050,000.00 for the purpose of funding programs under this section for ~~2019-2020,~~ **2020-2021** as recommended by the MiSTEM advisory council.

(5) ~~(4)~~ From the **state** school aid fund ~~allocation~~ **money allocated** under subsection (1), there is allocated an amount not to exceed $3,834,300.00 for ~~2019-2020~~ **2020-2021** to support the activities and programs of the MiSTEM network regions. In addition, from the federal funds allocated under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount estimated at $235,000.00 from DED-OESE, title II, mathematics and science partnership grants, for the purposes of this subsection. From the money allocated under this subsection, the department shall award the fiscal agent for each MiSTEM network region $200,000.00 for the base operations of each region. The department shall distribute the remaining funds to each fiscal agent in an equal amount per pupil, based on the number of K to 12 pupils enrolled in districts within each region in the immediately preceding fiscal year.

(6) ~~(5)~~ A MiSTEM network region shall do all of the following:

(a) Collaborate with the career and educational advisory council that is located in the MiSTEM region to develop a regional strategic plan for STEM education that creates a robust regional STEM culture, that empowers STEM teachers, that integrates business and education into the STEM network, and that ensures high-quality STEM experiences for pupils. At a minimum, a regional STEM strategic plan should do all of the following:

(*i*) Identify regional employer need for STEM.

(*ii*) Identify processes for regional employers and educators to create guided pathways for STEM careers that include internships or externships, apprenticeships, and other experiential engagements for pupils.

(*iii*) Identify educator professional development opportunities, including internships or externships and apprenticeships, that integrate this state's science standards into high-quality STEM experiences that engage pupils.

(b) Facilitate regional STEM events such as educator and employer networking and STEM career fairs to raise STEM awareness.

(c) Contribute to the MiSTEM website and engage in other MiSTEM network functions to further the mission of STEM in this state in coordination with the MiSTEM advisory council and its executive director**.**

(d) Facilitate application and implementation of state and federal funds under this subsection and any other grants or funds for the MiSTEM network region.

(e) Work with districts to provide STEM programming and professional learning.

(f) Coordinate recurring discussions and work with the career and educational advisory council to ensure that feedback and best practices are being shared, including funding, program, professional learning opportunities, and regional strategic plans.

(7) ~~(6)~~ From the **state** school aid ~~funds~~ **fund money** allocated under subsection (1), the department shall distribute for ~~2019-2020~~ **2020-2021** an amount not to exceed $750,000.00, in a form and manner determined by the department, to those network regions able to provide curriculum and professional development support to assist districts in implementing the Michigan merit curriculum components for mathematics and science.

(8) ~~(7)~~ In order to receive state or federal funds under subsection ~~(4)~~ **(5)** or ~~(6),~~ **(7),** or to receive funds from private sources as authorized under subsection (1), a grant recipient must allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The grant recipient shall reimburse the state for all disallowances found in the audit.

(9) ~~(8)~~ In order to receive state funds under subsection ~~(4)~~ **(5)** or ~~(6),~~ **(7),** a grant recipient must provide at least a 10% local match from local public or private resources for the funds received under this subsection.

(10) ~~(9)~~ Not later than ~~July 1, 2019 and~~ July 1 of each year**,** ~~thereafter,~~ a MiSTEM network region that receives funds under subsection ~~(4)~~ **(5)** shall report to the executive director of the MiSTEM network in a form and manner prescribed by the executive director on performance measures developed by the MiSTEM network regions and approved by the executive director**.** The performance measures must be designed to ensure that the activities of the MiSTEM network are improving student academic outcomes.

(11) ~~(10)~~ Not more than 5% of a MiSTEM network region grant under subsection ~~(4)~~ **(5)** or ~~(6)~~ **(7)** may be retained by a fiscal agent for serving as the fiscal agent of a MiSTEM network region.

(12) ~~(11)~~ From the general fund ~~allocation~~ **money allocated** under subsection (1), there is allocated an amount not to exceed $300,000.00 to the department of ~~technology, management, and budget~~ **labor and economic opportunity** to support the functions of the executive director and executive assistant for the MiSTEM network, and for administrative, training, and travel costs related to the MiSTEM advisory council. The executive director and executive assistant for the MiSTEM network shall do all of the following:

(a) Serve as a liaison among and between the department, the department of ~~technology, management, and budget,~~ **labor and economic opportunity,** the MiSTEM advisory council, the governor's future talent council, the MiSTEM regions, and any other relevant organization or entity in a manner that creates a robust statewide STEM culture, that empowers STEM teachers, that integrates business and education into the STEM network, and that ensures high-quality STEM experiences for pupils.

(b) Coordinate the implementation of a marketing campaign, including, but not limited to, a website that includes dashboards of outcomes, to build STEM awareness and communicate STEM needs and opportunities to pupils, parents, educators, and the business community.

(c) Work with the department and the MiSTEM advisory council to coordinate, award, and monitor MiSTEM state and federal grants to the MiSTEM network regions and conduct reviews of grant recipients, including, but not limited to, pupil experience and feedback.

(d) Report to the governor, the legislature, the department, and the MiSTEM advisory council annually on the activities and performance of the MiSTEM network regions.

(e) Coordinate recurring discussions and work with regional staff to ensure that a network or loop of feedback and best practices are shared, including funding, programming, professional learning opportunities, discussion of MiSTEM strategic vision, and regional objectives.

(f) Coordinate major grant application efforts with the MiSTEM advisory council to assist regional staff with grant applications on a local level. The MiSTEM advisory council shall leverage private and nonprofit relationships to coordinate and align private funds in addition to funds appropriated under this section.

(g) Train state and regional staff in the STEMworks rating system, in collaboration with the MiSTEM advisory council and the department.

(h) Hire MiSTEM network region staff in collaboration with the network region fiscal agent.

(13) ~~(12)~~ As used in this section:

(a) "Career and educational advisory council" means an advisory council to the local workforce development boards located in a prosperity region consisting of educational, employer, labor, and parent representatives.

(b) "DED" means the United States Department of Education.

(c) "DED-OESE" means the DED Office of Elementary and Secondary Education.

(d) "STEM" means science, technology, engineering, and mathematics delivered in an integrated fashion using cross-disciplinary learning experiences that can include language arts, performing and fine arts, and career and technical education.

Sec. 99t. (1) From the general fund appropriation under section 11, there is allocated an amount not to exceed ~~$1,500,000.00~~ **$1,000,000.00** for ~~2018-2019~~ **2020-2021** to purchase statewide access to an online algebra tool that meets all of the following:

(a) Provides students statewide with complete access to videos aligned with state standards including study guides and workbooks that are aligned with the videos.

(b) Provides students statewide with access to a personalized online algebra learning tool including adaptive diagnostics.

(c) Provides students statewide with dynamic algebra practice assessments that emulate the state assessment with immediate feedback and help solving problems.

(d) Provides students statewide with online access to algebra help 24 hours a day and 7 days a week from study experts, teachers, and peers on a moderated social networking platform.

(e) Provides an online algebra professional development network for teachers.

(f) Is already provided under a statewide contract in at least 1 other state that has a population of at least 18,000,000 but not more than 19,000,000 according to the most recent decennial census and is offered in that state in partnership with a public university.

(2) The department shall purchase the online algebra tool that was chosen under this section in 2016-2017.

(3) A grantee receiving funding under this section shall comply with the requirements of section 19b.

Sec. 99u. (1) From the general fund ~~appropriation~~ **money appropriated** under section 11, there is allocated for ~~2018-2019~~ **2020-2021** an amount not to exceed $1,500,000.00 to ~~purchase statewide access to an~~ **a provider that is a provider of both of the following:**

(a) An online mathematics tool that meets all of the following:

(*i*) ~~(a)~~ Provides students statewide with complete access to mathematics support aligned with state standards through a program that has all of the following elements:

(A) ~~(*i*)~~ Student motivation.

(B) ~~(*ii*)~~ Valid and reliable assessments.

(C) ~~(*iii*)~~ Personalized learning pathways.

(D) ~~(*iv*)~~ Highly qualified, live teachers available all day and all year.

(E) ~~(*v*)~~ Twenty-four-hour reporting.

(F) ~~(*vi*)~~ Content built for rigorous mathematics.

(*ii*) ~~(b)~~ Has a record of improving student mathematics scores in at least 5 other states.

(*iii*) ~~(c)~~ Received funding under this section in 2017-2018.

(b) A program that provides explicit, targeted literacy instruction within an individualized learning path that continually adjusts to a pupil's needs. A program described in this subdivision that is funded under this subsection must be funded through a grant to a provider described in this subsection that also promotes literacy through the teaching of critical language and literacy concepts, such as reading and listening comprehension, basic vocabulary, academic language, grammar, phonological awareness, phonics, and fluency.

(2) A grantee that receives funding under this section shall comply with the requirements of section 19b.

~~(3) In addition to the funds allocated under subsection (1), from the general fund appropriation in section 11, there is allocated for 2018-2019 an amount not to exceed $500,000.00 for a software-based solution designed to teach Spanish language literacy to students in pre-kindergarten through first grade. A program funded under this subsection shall be a grant to the eligible provider that promotes bilingualism and biliteracy, and is based on research that shows how students who become proficient readers in their first language have an easier time making the transition to reading proficiency in a second language. A provider of programming under subsection (1) is the eligible provider of programming under this subsection.~~

~~(4) In addition to the funds allocated under subsection (1), from the general fund money appropriated in section 11, there is allocated for 2018-2019 an amount not to exceed $1,000,000.00 for a pilot program to provide explicit, targeted literacy instruction within an individualized learning path that continually adjusts to a pupil's needs. A program funded under this subsection shall be a grant to the eligible provider that promotes literacy by teaching critical language and literacy concepts such as reading and listening comprehension, basic vocabulary, academic language, grammar, phonological awareness, phonics, and fluency. A pilot program funded under this subsection shall cover both the remainder of 2018-2019 and also the entire 2019-2020 school year. A provider of programming under subsection (1) is the eligible provider of programming under this subsection.~~

(3) ~~(5)~~ Notwithstanding section 17b, **the department shall make** payments ~~made~~ under this section ~~shall be made~~ **by** not later than ~~March 1, 2019.~~**December 1, 2020.**

Sec. 99w. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed ~~$500,000.00~~ **$400,000.00** for ~~2018-2019~~ **2020-2021** to facilitate a culture of health and physical activity as part of daily life. Funding under this section ~~shall~~ **must** be a grant to the Michigan Fitness Foundation to work with the department to invest in a physical education curriculum. Funding under this section may support staff, evaluation, assessment, technology, meetings, training, travel, materials, and other administrative expenses in support of an updated physical education curriculum. Funding under this section may be used as matching dollars to qualify for federal and private resources to support physical education.

(2) An entity that received funding under this section for 2018-2019 may expend those funds through September 30, 2021.

(3) ~~(2)~~ Notwithstanding section 17b, **the department shall make** payments ~~made~~ under this section ~~shall be made~~ **by** not later than ~~March 1, 2019.~~**December 1, 2020.**

Sec. 99x. (1) From the general fund money appropriated under section 11, there is allocated for ~~2018-2019~~ **2020-2021** an amount not to exceed ~~$300,000.00~~ **$1,000,000.00** for Teach for America to host a summer training institute in the city of Detroit, recruit teachers into a master teacher fellowship, and retain a committed alumni community. A program funded under this section must provide coaching and professional development, with the goal to produce highly effective teachers that move pupils beyond their growth benchmarks.

(2) Notwithstanding section 17b, **the department shall make** payments ~~made~~ under this section ~~shall be made~~ **by** not later than ~~March 1, 2019.~~**December 1, 2020.**

Sec. 99z. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed $5,000,000.00 for 2020-2021 for payments to eligible districts described in subsection (3) to be used in the manner described in subsection (4).

(2) A district seeking funding under this section shall apply for the funding in a form and manner prescribed by the department.

(3) A district that meets all of the following is an eligible district under this section:

(a) In its application described in subsection (2), the district confirms its approval of a department-generated list that includes the full name and personnel identification code for each eligible teacher employed by the district in an assignment as described in subsection (8)(b)(*i*) and (*ii*) to whom it will provide a payment under subsection (4) with the funding received under this section.

(b) The district agrees to provide to each eligible teacher whose name is included on the list described in subdivision (a) a payment of $500.00, in addition to the payment it will provide those eligible teachers under subsection (4).

(c) The district agrees to pay each eligible teacher the payment described in subdivision (b) and subsection (4) by not later than 45 days after receiving the disbursement of funds under this section from the department.

(4) An eligible district that receives funding under this section shall use that funding only as follows:

(a) If the eligible district is a district in which at least 70% of the pupils in membership in the district for the immediately preceding fiscal year were economically disadvantaged, to provide a payment of $1,000.00 to each eligible teacher whose name is included on the list described in subsection (3)(a).

(b) If the eligible district is not a district described in subdivision (a), to provide a payment of $500.00 to each eligible teacher whose name is included on the list described in subsection (3)(a).

(5) It is the intent of the legislature to provide for funding so that an eligible teacher who receives a payment under this section from the district to which he or she is assigned as described in this section receives payments under this section through that eligible teacher's third year of teaching at that district if that teacher remains continuously employed full-time at that district during those 3 years. For purposes of this subsection, an eligible teacher is considered continuously employed at a district during a period for which he or she is on approved medical, parental, or military leave.

(6) The funds allocated under this section for 2020-2021 are a work project appropriation, and any unexpended funds for 2020-2021 are carried forward into 2021-2022. The purpose of the work project is to continue providing payments to eligible teachers as described in this section. The estimated completion date of the work project is September 30, 2023.

(7) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

(8) As used in this section:

(a) "Economically disadvantaged" means that term as defined in section 31a.

(b) "Eligible teacher" means an individual who meets all of the following:

(*i*) Is assigned a teacher assignment code in the registry of educational personnel for the first time in the 2020-2021 school year.

(*ii*) Is assigned to a district in the registry of educational personnel in the 2020-2021 school year.

(*iii*) Has completed a full school year as a full-time teacher at the district to which he or she is assigned as described in subparagraph (*ii*) or, through a cooperative agreement, at multiple districts.

(*iv*) Holds a valid Michigan teaching certificate or holds a full-year permit.

(*v*) Is employed by the district or districts described in subparagraph (*iii*) on or before November 1, 2020.

(*vi*) Has not been subject to any recorded disciplinary action during the school year.

(c) "Registry of educational personnel" means the data collected biannually by the center on June 30 and the first business day of December.

Sec. 101. (1) To be eligible to receive state aid under this article, not later than the fifth Wednesday after the pupil membership count day and not later than the fifth Wednesday after the supplemental count day, each district superintendent shall submit and certify to the center and the intermediate superintendent, in the form and manner prescribed by the center, the number of pupils enrolled and in regular daily attendance, or, for 2020-2021 only, the number of pupils engaged in pandemic learning for fall 2020 or the number of pupils engaged in pandemic learning for spring 2021, as applicable, or, for a district that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of pupils enrolled and in regular daily attendance, including identification of tuition-paying pupils, in the district as of the pupil membership count day and as of the supplemental count day, as applicable, for the current school year. In addition, a district maintaining school during the entire year shall submit and certify to the center and the intermediate superintendent, in the form and manner prescribed by the center, the number of pupils enrolled and in regular daily attendance in the district or, for 2020-2021 only, the number of pupils engaged in pandemic learning for fall 2020 or the number of pupils engaged in pandemic learning for spring 2021, as applicable, or, for a district that operates as a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, the number of pupils enrolled and in regular daily attendance, for the current school year pursuant to rules promulgated by the superintendent. Not later than the sixth Wednesday after the pupil membership count day and not later than the sixth Wednesday after the supplemental count day, the district shall resolve any pupil membership conflicts with another district, correct any data issues, and recertify the data in a form and manner prescribed by the center and file the certified data with the intermediate superintendent. If a district fails to submit and certify the attendance data, as required under this subsection, the center shall notify the department and the department shall withhold state aid due to be distributed under this article from the defaulting district immediately, beginning with the next payment after the failure and continuing with each payment until the district complies with this subsection. If a district does not comply with this subsection by the end of the fiscal year, the district forfeits the amount withheld. A person who willfully falsifies a figure or statement in the certified and sworn copy of enrollment is subject to penalty as prescribed by section 161. As used in this subsection, "pupils engaged in pandemic learning for spring 2021" means that term as defined in section 6a.

(2) To be eligible to receive state aid under this article, not later than the twenty-fourth Wednesday after the pupil membership count day and not later than the twenty-fourth Wednesday after the supplemental count day, an intermediate district shall submit to the center, in a form and manner prescribed by the center, the audited enrollment and attendance data as described in subsection (1) for the pupils of its constituent districts and of the intermediate district. If an intermediate district fails to submit the audited data as required under this subsection, the department shall withhold state aid due to be distributed under this article from the defaulting intermediate district immediately, beginning with the next payment after the failure and continuing with each payment until the intermediate district complies with this subsection. If an intermediate district does not comply with this subsection by the end of the fiscal year, the intermediate district forfeits the amount withheld.

(3) Except as otherwise provided in subsections (11), (12), and (13), all of the following apply to the provision of pupil instruction:

(a) Except as otherwise provided in this section, each district shall provide at least 1,098 hours and 180 days of pupil instruction. If a collective bargaining agreement that provides a complete school calendar was in effect for employees of a district as of June 24, 2014, and if that school calendar is not in compliance with this subdivision, then this subdivision does not apply to that district until after the expiration of that collective bargaining agreement. A district may apply for a waiver under subsection (9) from the requirements of this subdivision.

(b) Except as otherwise provided in this article, a district failing to comply with the required minimum hours and days of pupil instruction under this subsection forfeits from its total state aid allocation an amount determined by applying a ratio of the number of hours or days the district was in noncompliance in relation to the required minimum number of hours and days under this subsection. Not later than August 1, the board of each district shall either certify to the department that the district was in full compliance with this section regarding the number of hours and days of pupil instruction in the previous school year, or report to the department, in a form and manner prescribed by the center, each instance of noncompliance. If the district did not provide at least the required minimum number of hours and days of pupil instruction under this subsection, the department shall make the deduction of state aid in the following fiscal year from the first payment of state school aid. A district is not subject to forfeiture of funds under this subsection for a fiscal year in which a forfeiture was already imposed under subsection (6).

(c) Hours or days lost because of strikes or teachers' conferences are not counted as hours or days of pupil instruction.

(d) Except as otherwise provided in subdivisions (e), (f), and (h), if a district does not have at least 75% of the district's membership in attendance on any day of pupil instruction, the department shall pay the district state aid in that proportion of 1/180 that the actual percent of attendance bears to 75%.

(e) If a district adds 1 or more days of pupil instruction to the end of its instructional calendar for a school year to comply with subdivision (a) because the district otherwise would fail to provide the required minimum number of days of pupil instruction even after the operation of subsection (4) due to conditions not within the control of school authorities, then subdivision (d) does not apply for any day of pupil instruction that is added to the end of the instructional calendar. Instead, for any of those days, if the district does not have at least 60% of the district's membership in attendance on that day, the department shall pay the district state aid in that proportion of 1/180 that the actual percentage of attendance bears to 60%. For any day of pupil instruction added to the instructional calendar as described in this subdivision, the district shall report to the department the percentage of the district's membership that is in attendance, in the form and manner prescribed by the department.

(f) At the request of a district that operates a department-approved alternative education program and that does not provide instruction for pupils in all of grades K to 12, the superintendent shall grant a waiver from the requirements of subdivision (d). The waiver must provide that an eligible district is subject to the proration provisions of subdivision (d) only if the district does not have at least 50% of the district's membership in attendance on any day of pupil instruction. In order to be eligible for this waiver, a district must maintain records to substantiate its compliance with the following requirements:

(*i*) The district offers the minimum hours of pupil instruction as required under this section.

(*ii*) For each enrolled pupil, the district uses appropriate academic assessments to develop an individual education plan that leads to a high school diploma.

(*iii*) The district tests each pupil to determine academic progress at regular intervals and records the results of those tests in that pupil's individual education plan.

(g) All of the following apply to a waiver granted under subdivision (f):

(*i*) If the waiver is for a blended model of delivery, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(*ii*) If the waiver is for a 100% online model of delivery and the educational program for which the waiver is granted makes educational services available to pupils for a minimum of at least 1,098 hours during a school year and ensures that each pupil participates in the educational program for at least 1,098 hours during a school year, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(*iii*) A waiver that is not a waiver described in subparagraph (*i*) or (*ii*) is valid for ~~1~~ **3** fiscal ~~year~~ **years, unless it is revoked by the superintendent,** and must be renewed ~~annually~~ **at the end of the 3-year period** to remain in effect.

(h) For the 2020-2021 school year only, subdivision (d) does not apply for any day of pupil instruction. However, for the 2020-2021 school year only, a district shall ensure that 1 2-way interaction occurs between a pupil enrolled in the district and the pupil's teacher or at least 1 of the pupil's teachers **or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress** during each month of the school year for at least 75% of pupils enrolled in the district. **As used in the immediately preceding sentence, "school year" means a period comprising at least 9 calendar months that are chosen by a district and that are designated as part of the district's 2020-2021 school year.** If a district does not ensure that the interactions required under this subdivision occur for at least 75% of pupils enrolled in the district ~~during each month of the school year,~~ **as required under this subdivision,** the department shall pay the district state aid in that proportion of ~~1/10~~ **1/9** that the actual percentage of interaction during each month bears to 75%. As used in this subdivision, "2-way interaction" means a communication that occurs between a pupil and the pupil's teacher or at least 1 of the pupil's teachers **or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress**, where 1 party initiates communication and a response from the other party follows that communication, and that is relevant to course progress or course content for at least 1 of the courses in which the pupil is enrolled **or relevant to the pupil's overall academic progress or grade progression**. Responses, as described in this subdivision, must be to ~~the~~ communication initiated by the teacher, **by another district employee who has responsibility for the pupil's learning, grade progression, or academic progress, or by the pupil,** and not some other action taken. The communication described in this subdivision may occur through, but is not limited to, any of the following means:

(*i*) Electronic mail.

(*ii*) Telephone.

(*iii*) Instant messaging.

(*iv*) Face-to-face conversation.

(i) The superintendent shall promulgate rules for the implementation of this subsection.

(4) Except as otherwise provided in this subsection, the first 6 days or the equivalent number of hours for which pupil instruction is not provided because of conditions not within the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions as defined by the city, county, or state health authorities, are counted as hours and days of pupil instruction. With the approval of the superintendent of public instruction, the department shall count as hours and days of pupil instruction for a fiscal year not more than 3 additional days or the equivalent number of additional hours for which pupil instruction is not provided in a district due to unusual and extenuating occurrences resulting from conditions not within the control of school authorities such as those conditions described in this subsection. Subsequent such hours or days are not counted as hours or days of pupil instruction.

(5) A district does not forfeit part of its state aid appropriation because it adopts or has in existence an alternative scheduling program for pupils in kindergarten if the program provides at least the number of hours required under subsection (3) for a full-time equated membership for a pupil in kindergarten as provided under section 6(4).

(6) In addition to any other penalty or forfeiture under this section, if at any time the department determines that 1 or more of the following have occurred in a district, the district forfeits in the current fiscal year beginning in the next payment to be calculated by the department a proportion of the funds due to the district under this article that is equal to the proportion below the required minimum number of hours and days of pupil instruction under subsection (3), as specified in the following:

(a) The district fails to operate its schools for at least the required minimum number of hours and days of pupil instruction under subsection (3) in a school year, including hours and days counted under subsection (4).

(b) The board of the district takes formal action not to operate its schools for at least the required minimum number of hours and days of pupil instruction under subsection (3) in a school year, including hours and days counted under subsection (4).

(7) In providing the minimum number of hours and days of pupil instruction required under subsection (3), a district shall use the following guidelines, and a district shall maintain records to substantiate its compliance with the following guidelines:

(a) Except as otherwise provided in this subsection, a pupil must be scheduled for at least the required minimum number of hours of instruction, excluding study halls, or at least the sum of 90 hours plus the required minimum number of hours of instruction, including up to 2 study halls.

(b) The time a pupil is assigned to any tutorial activity in a block schedule may be considered instructional time, unless that time is determined in an audit to be a study hall period.

(c) Except as otherwise provided in this subdivision, a pupil in grades 9 to 12 for whom a reduced schedule is determined to be in the individual pupil's best educational interest must be scheduled for a number of hours equal to at least 80% of the required minimum number of hours of pupil instruction to be considered a full-time equivalent pupil. A pupil in grades 9 to 12 who is scheduled in a 4-block schedule may receive a reduced schedule under this subsection if the pupil is scheduled for a number of hours equal to at least 75% of the required minimum number of hours of pupil instruction to be considered a full-time equivalent pupil.

(d) If a pupil in grades 9 to 12 who is enrolled in a cooperative education program or a special education pupil cannot receive the required minimum number of hours of pupil instruction solely because of travel time between instructional sites during the school day, that travel time, up to a maximum of 3 hours per school week, is considered to be pupil instruction time for the purpose of determining whether the pupil is receiving the required minimum number of hours of pupil instruction. However, if a district demonstrates to the satisfaction of the department that the travel time limitation under this subdivision would create undue costs or hardship to the district, the department may consider more travel time to be pupil instruction time for this purpose.

(e) In grades 7 through 12, instructional time that is part of a Junior Reserve Officer Training Corps (JROTC) program is considered to be pupil instruction time regardless of whether the instructor is a certificated teacher if all of the following are met:

(*i*) The instructor has met all of the requirements established by the United States Department of Defense and the applicable branch of the armed services for serving as an instructor in the Junior Reserve Officer Training Corps program.

(*ii*) The board of the district or intermediate district employing or assigning the instructor complies with the requirements of sections 1230 and 1230a of the revised school code, MCL 380.1230 and 380.1230a, with respect to the instructor to the same extent as if employing the instructor as a regular classroom teacher.

(8) Except as otherwise provided in subsections (11), (12), and (13), the department shall apply the guidelines under subsection (7) in calculating the full-time equivalency of pupils.

(9) Upon application by the district for a particular fiscal year, the superintendent shall waive for a district the minimum number of hours and days of pupil instruction requirement of subsection (3) for a department-approved alternative education program or another innovative program approved by the department, including a 4-day school week. If a district applies for and receives a waiver under this subsection and complies with the terms of the waiver, the district is not subject to forfeiture under this section for the specific program covered by the waiver. If the district does not comply with the terms of the waiver, the amount of the forfeiture is calculated based upon a comparison of the number of hours and days of pupil instruction actually provided to the minimum number of hours and days of pupil instruction required under subsection (3). A district shall report pupils enrolled in a department-approved alternative education program under this subsection to the center in a form and manner determined by the center. All of the following apply to a waiver granted under this subsection:

(a) If the waiver is for a blended model of delivery, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(b) If the waiver is for a 100% online model of delivery and the educational program for which the waiver is granted makes educational services available to pupils for a minimum of at least 1,098 hours during a school year and ensures that each pupil is on track for course completion at proficiency level, a waiver that is granted for the 2011-2012 fiscal year or a subsequent fiscal year remains in effect unless it is revoked by the superintendent.

(c) A waiver that is not a waiver described in subdivision (a) or (b) is valid for ~~1~~ **3** fiscal ~~year~~ **years, unless it is revoked by the superintendent,** and must be renewed ~~annually~~ **at the end of the 3-year period** to remain in effect.

(10) A district may count up to 38 hours of ~~qualifying~~ professional development for teachers as hours of pupil instruction. All of the following apply to the counting of ~~qualifying~~ professional development as pupil instruction under this subsection:

(a) If ~~qualifying~~ **the** professional development exceeds 5 hours in a single day, that day may be counted as a day of pupil instruction.

(b) At least 8 hours of the ~~qualifying~~ professional development counted as hours of pupil instruction under this subsection must be recommended by a districtwide professional development advisory committee appointed by the district board. The advisory committee must be composed of teachers employed by the district who represent a variety of grades and subject matter specializations, including special education; nonteaching staff; parents; and administrators. The majority membership of the committee ~~shall~~ **must** be composed of teaching staff.

(c) Professional development provided online is allowable and encouraged, as long as the instruction has been approved by the district. The department shall issue a list of approved online professional development providers ~~, which~~ **that** must include the Michigan Virtual School.

(d) ~~Qualifying professional~~ **Professional** development may only be counted as hours of pupil instruction **under this subsection** for the pupils of those teachers scheduled to participate in the ~~qualifying~~ professional development.

(e) ~~For professional~~ **The professional** development ~~to be considered qualifying professional development under this subsection, the professional development~~ must meet all of the following **to be counted as pupil instruction under this subsection**:

(*i*) ~~Is~~ **Be** aligned to the school or district improvement plan for the school or district in which the professional development is being provided.

(*ii*) ~~Is~~ **Be** linked to 1 or more criteria in the evaluation tool developed or adopted by the district or intermediate district under section 1249 of the revised school code, MCL 380.1249.

(*iii*) Has been approved by the department as counting for state continuing education clock hours. The number of hours of professional development counted as hours of pupil instruction **under this subsection** may not exceed the number of state continuing education clock hours for which the ~~qualifying~~ professional development was approved.

(*iv*) Not more than a combined total of 10 hours of the professional development takes place before the first scheduled day of school for the school year ending in the fiscal year and after the last scheduled day of school for that school year.

(*v*) ~~No~~ **Not** more than 10 hours of ~~qualifying~~ **the** professional development takes place in a single month.

(*vi*) At least 75% of teachers scheduled to participate in the professional development are in attendance.

(11) Subsections (3) and (8) do not apply to a school of excellence that is a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a.

(12) Subsections (3) and (8) do not apply to eligible pupils enrolled in a dropout recovery program that meets the requirements of section 23a. As used in this subsection, "eligible pupil" means that term as defined in section 23a.

(13) For the 2020-2021 school year only, the minimum number of hours and days of pupil instruction requirement under subsection (3) is waived for ~~all districts. However, for the 2020-2021 school year only, districts shall,~~ **each district that,** at a minimum, ~~provide~~ **provides** pupil instruction **for the 2020-2021 school year** at school, at a different location, in person, online, digitally, by other remote means, in a synchronous or asynchronous format, or through any combination therein that results in an amount of hours and days necessary to deliver the educational or course content that would have been delivered in 180 days and 1,098 hours in a school year in which pandemic learning was not provided and that would have led to course completion. As used in this subsection, "pandemic learning" means a mode of pupil instruction provided as a result of the COVID-19 pandemic.

(14) At least every 2 years the superintendent shall review the waiver standards set forth in the pupil accounting and auditing manuals to ensure that the waiver standards and waiver process continue to be appropriate and responsive to changing trends in online learning. The superintendent shall solicit and consider input from stakeholders as part of this review.

Sec. 104. (1) In order to receive state aid under this article, a district shall comply with sections 1249, 1278a, 1278b, 1279g, and 1280b of the revised school code, MCL 380.1249, 380.1278a, 380.1278b, 380.1279g, and 380.1280b, and 1970 PA 38, MCL 388.1081 to 388.1086. Subject to subsection (2), from the state school aid fund money appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed ~~$26,009,400.00~~ **$31,009,400.00** for payments on behalf of districts for costs associated with complying with those provisions of law. In addition, from the federal funds appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount estimated at ~~$6,250,000.00,~~ **$6,250,000.00** funded from DED-OESE, title VI, state assessment funds, and from DED-OSERS, section 504 of part B of the individuals with disabilities education act, Public Law 94-142, plus any carryover federal funds from previous year appropriations, for the purposes of complying with the every student succeeds act, Public Law 114-95.

(2) The results of each test administered as part of the Michigan student test of educational progress (M-STEP), including tests administered to high school students, must include an item analysis that lists all items that are counted for individual pupil scores and the percentage of pupils choosing each possible response. The department shall work with the center to identify the number of students enrolled at the time assessments are given by each district. In calculating the percentage of pupils assessed for a district's scorecard, the department shall use only the number of pupils enrolled in the district at the time the district administers the assessments and shall exclude pupils who enroll in the district after the district administers the assessments.

(3) The department shall distribute federal funds allocated under this section in accordance with federal law and with flexibility provisions outlined in Public Law 107-116, and in the education flexibility partnership act of 1999, Public Law 106-25.

(4) From the funds allocated in subsection (1), there is allocated an amount not to exceed ~~$2,500,000.00~~ **$1,500,000.00** to an intermediate district described in this subsection for**, except as otherwise provided in this subsection,** statewide implementation of the Michigan kindergarten entry observation tool (MKEO)**,** ~~beginning in the fall of 2019,~~ utilizing the Maryland-Ohio observational tool, also referred to as the Kindergarten Readiness Assessment, as piloted under this subsection in 2017-2018 and implemented in 2018-2019 and 2019-2020. The funding in this subsection is allocated to an intermediate district in prosperity region 9 with at least 3,000 kindergarten pupils enrolled in its constituent districts. ~~It is the intent of the legislature that funding will not be allocated under this subsection for 2020-2021 for the purposes under this subsection and that statewide implementation of the Michigan kindergarten entry observation tool (MKEO), as described in this subsection, will be suspended for 2020-2021.~~ **An intermediate district described in this subsection is not required to carry out the statewide implementation of the Michigan kindergarten entry observation tool (MKEO), as described in this subsection, for the fall of 2020. It is the intent of the legislature to account for health, safety, and welfare concerns related to the COVID-19 pandemic by temporarily suspending the requirement for statewide implementation of the Michigan kindergarten entry observation tool (MKEO) under this subsection for the fall of 2020.** All of the following apply to the implementation of the kindergarten entry observation tool under this subsection:

(a) The department, in collaboration with all intermediate districts, shall ensure that the Michigan kindergarten entry observation tool is administered in each kindergarten classroom to either the full census of kindergarten pupils enrolled in the classroom or to a representative sample of not less than 35% of the total kindergarten pupils enrolled in each classroom. If a district elects to administer the Michigan kindergarten entry observation tool to a random sample of pupils within each classroom, the district's intermediate district shall select the pupils who will receive the assessment based on the same random method. Beginning in 2021, the observation tool must be administered within 45 days after the start of the school year.

(b) The intermediate district that receives funding under this subsection, in collaboration with all other intermediate districts, shall implement a "train the trainer" professional development model on the usage of the Michigan kindergarten entry observation tool. This training model must provide training to intermediate district staff so that they may provide similar training for staff of their constituent districts. This training model must also ensure that the tool produces reliable data and that there are a sufficient number of trainers to train all kindergarten teachers statewide.

(c) By March 1, 2022, and each year thereafter, the department and the intermediate district that receives funding under this subsection shall report to the house and senate appropriations subcommittees on state school aid, the house and senate fiscal agencies, and the state budget director on the results of the statewide implementation, including, but not limited to, an evaluation of the demonstrated readiness of kindergarten pupils statewide and the effectiveness of state and federal early childhood programs that are designed for school readiness under this state's authority, including the great start readiness program and the great start readiness/Head Start blended program, as referenced under section 32d. By September 1, 2022, and each year thereafter, the department and the center shall provide a method for districts and public school academies with kindergarten enrollment to look up and verify their student enrollment data for pupils who were enrolled in a publicly funded early childhood program in the year before kindergarten, including the individual great start readiness program, individual great start readiness/Head Start blended program, individual title I preschool program, individual section 31a preschool program, individual early childhood special education program, or individual developmental kindergarten or program for young 5-year-olds in which each tested child was enrolled. A participating district shall analyze the data to determine whether high-performing children were enrolled in any specific early childhood program and, if so, report that finding to the department and to the intermediate district that receives funding under this subsection.

(d) The department shall approve the language and literacy domain within the Kindergarten Readiness Assessment for use by districts as an initial assessment that may be delivered to all kindergarten pupils to assist with identifying any possible area of concern for a pupil in English language arts.

(e) As used in this subsection:

(*i*) "Kindergarten" includes a classroom for young 5-year-olds, commonly referred to as "young 5s" or "developmental kindergarten".

(*ii*) "Representative sample" means a sample capable of producing valid and reliable assessment information on all or major subgroups of kindergarten pupils in a district.

(5) The department may recommend, but may not require, districts to allow pupils to use an external keyboard with tablet devices for online M-STEP testing, including, but not limited to, open-ended test items such as constructed response or equation builder items.

(6) Notwithstanding section 17b, the department shall make payments on behalf of districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(7) From the allocation in subsection (1), there is allocated an amount not to exceed $500,000.00 for ~~2019-2020~~ **2020-2021** for the operation of an online reporting tool to provide student-level assessment data in a secure environment to educators, parents, and pupils immediately after assessments are scored. The department and the center shall ensure that any data collected by the online reporting tool do not provide individually identifiable student data to the federal government.

(8) In order to receive state aid under this article for 2020-2021, a district shall meet both of the following requirements:

(a) Within the first 9 weeks of the 2020-2021 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under subsection (9), benchmark assessments described in subsection (10), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(b) In addition to the benchmark assessment or benchmark assessments administered under subdivision (a), by not later than the last day of the 2020-2021 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under subsection (9), benchmark assessments described in subsection (10), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(9) The department shall approve at least 4 but not more than 5 providers of benchmark assessments for the purposes of subsection (8). The department shall inform districts of all of the providers approved under this subsection in an equitable manner. The benchmark assessments provided for the purposes of subsection (8) by approved providers under this subsection, with the exclusion of the benchmark assessment described in subsection (14), must meet all of the following:

(a) Be 1 of the most commonly administered benchmark assessments in this state.

(b) Be aligned to the content standards of this state.

(c) Complement the state's summative assessment system.

(d) Be internet-delivered and include a standards-based **remote, in-person, or both remote and in-person** assessment using a computer-adaptive model to target the instructional level of each pupil.

(e) Provide information on pupil achievement with regard to learning content required in a given year or grade span.

(f) Provide immediate feedback to pupils and teachers.

(g) Be nationally normed.

(h) Provide multiple measures of growth and provide for multiple testing opportunities.

(10) A district may administer 1 or more of the following benchmark assessments toward meeting the requirement under subsection (8):

(a) A benchmark assessment in reading for students in grades K to 9 that contains progress monitoring tools and enhanced diagnostic assessments.

(b) A benchmark assessment in math for students in grades K to 8 that contains progress monitoring tools.

(11) To the extent practicable, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall administer the same benchmark assessment or benchmark assessments provided by a provider approved under subsection (9), benchmark assessment or benchmark assessments described in subsection (10), or local benchmark assessment or local benchmark assessments that it administered to pupils in previous school years, as applicable.

(12) By not later than June 30, 2021, a district shall send the aggregate district-level data from a benchmark assessment or benchmark assessments, excluding data from a local benchmark assessment or local benchmark assessments, administered under this section to a regional data hub that is part of the Michigan data hub network that shall compile the data and send it to the center. Not later than ~~August~~ **September** 1, 2021, the department and the center shall provide a report to the governor and the senate and house standing committees responsible for education legislation identifying the number and percentage of pupils in this state who are significantly behind grade level as determined by the department and the center based on the data

provided to the center under this subsection. The benchmark assessment data under this subsection may also be used to measure pupils' growth based on their performance on state summative assessments to identify districts and schools where pupil achievement has increased or decreased. However, the benchmark assessment data under this subsection must not be utilized for the state accountability system. It is the intent of the legislature that the benchmark assessment data under this subsection be primarily utilized to determine the loss of learning, if any, resulting from the COVID-19 pandemic. After the administration of statewide assessments resumes, the department shall also provide a report to the governor and the senate and house standing committees responsible for education legislation identifying the specific pupil groups whose expected trajectory toward grade-level proficiency were most impacted by school closures that occurred pursuant to the COVID-19 pandemic.

(13) If a district administers a benchmark assessment or benchmark assessments under this section, the district shall provide each pupil's data from the benchmark assessment or benchmark assessments, as available, to the pupil's parent or legal guardian within 30 days of administering the benchmark assessment or benchmark assessments.

(14) The department shall make 1 of the benchmark assessments provided by a provider approved under subsection (9) available to districts at no cost to the districts. The benchmark assessment described in this subsection must meet all of the following:

(a) Be aligned to the content standards of this state.

(b) Complement the state's summative assessment system.

(c) Be internet-delivered and include a standards-based assessment.

(d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.

(e) Provide timely feedback to pupils and teachers.

(f) Be nationally normed.

(g) Provide information to educators about student growth and allow for multiple testing opportunities.

(15) If a local benchmark assessment or local benchmark assessments are administered under subsection (8), the district shall report to the department and the center, in a form and manner prescribed by the center, the local benchmark assessment or local benchmark assessments that were administered and how that assessment or those assessments measure changes, including any losses, as applicable, in learning, and the district's plan for addressing any losses in learning.

(16) ~~It is the intent of the legislature to appropriate funding for a study to be conducted by a~~ **From the general fund money appropriated in section 11, there is allocated for 2020-2021 an amount not to exceed $150,000.00 to a** higher education institution or other entity that is not a state governmental entity that has expertise in conducting a study described in this subsection ~~. It is the intent of the legislature that the study described in this subsection must,~~ **to conduct a study that,** at a minimum, ~~accomplish~~ **accomplishes** all of the following:

(a) ~~Provide~~ **Provides** for an assessment of the distance-learning programs utilized in this state that were effective at meeting educational goals and attainment.

(b) ~~Provide~~ **Provides** for an assessment of how the programs described in subdivision (a) operated.

(c) ~~Provide~~ **Provides** for an assessment of the best practices implemented by the programs described in subdivision (a) that should be replicated by schools engaged in distance learning.

(d) ~~Note~~ **Notes** distance-learning models that were ineffective in achieving educational goals.

(17) As used in this section:

(a) "DED" means the United States Department of Education.

(b) "DED-OESE" means the DED Office of Elementary and Secondary Education.

(c) "DED-OSERS" means the DED Office of Special Education and Rehabilitative Services.

Sec. 104f. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed $500,000.00 for the implementation of an assessment digital literacy preparation program for pupils enrolled in grades K to 8 for 2020-2021. The department shall ensure that a program funded under this subsection satisfies all of the following:

(a) Is available to districts in the 2020-2021 school year.

(b) Focuses on ensuring pupils have the necessary skills required for state online assessments by assessing pupil digital literacy skill levels and providing teachers with a digital curriculum targeted at areas of determined weakness.

(c) Allows pupils to engage with the digital curriculum in an independent or teacher-facilitated modality.

(d) Includes training and professional development for teachers.

(e) Is implemented in at least 100 districts that operate grades K to 8 and that represent a diverse geography and socio-economic demographic.

(2) Funding under subsection (1) must be allocated to a district that did not receive funding under former section 104e for 2017-2018 and that operates at least grades K to 8 and has a partnership with a third party that is experienced in the assessment of digital literacy and the preparation of digital literacy skills and has demonstrable experience serving districts in this state and local education agencies in 10 other states. The district, along with its third-party partner, shall provide a report to the house and senate appropriations subcommittees on state school aid and the house and senate fiscal agencies on the efficacy and usefulness of the assessment digital literacy preparation program no later than July 1, 2021.

(3) Notwithstanding section 17b, the department shall make payments under subsection (1) by not later than December 1, 2020.

Sec. 104g. (1) For the 2020-2021 school year only, a district shall make the SAT available in the fall of 2020 to pupils who were in grade 11 during the 2019-2020 school year and who were not able to take the examination during the 2019-2020 school year.

(2) For the 2020-2021 school year only, a district shall make the PSAT available in the fall of 2020 to pupils who were in grades 8, 9, and 10 during the 2019-2020 school year and who were not able to take the examination during the 2019-2020 school year.

(3) The examinations offered by a district in subsections (1) and (2) are not considered state summative assessments or the college entrance portion of the Michigan merit examination for the 2020-2021 school year.

(4) Pupils must be encouraged but not required to take the examinations under subsections (1) and (2).

Sec. 105. (1) In order to avoid a penalty under this section, and in order to count a nonresident pupil residing within the same intermediate district in membership without the approval of the pupil's district of residence, a district ~~shall~~ **must** comply with this section.

(2) Except as otherwise provided in this section, a district shall determine whether or not it will accept applications for enrollment by nonresident applicants residing within the same intermediate district for the next school year. If the district determines to accept applications for enrollment of a number of nonresidents, beyond those entitled to preference under this section, the district shall use the following procedures for accepting applications from and enrolling nonresidents:

(a) The district shall publish the grades, schools, and special programs, if any, for which enrollment may be available to, and for which applications will be accepted from, nonresident applicants residing within the same intermediate district.

(b) If the district has a limited number of positions available for nonresidents residing within the same intermediate district in a grade, school, or program, all of the following apply to accepting applications for and enrollment of nonresidents in that grade, school, or program:

(*i*) The district shall do all of the following not later than the second Friday in August:

(A) Provide notice to the general public that applications will be taken for a period of at least 15 calendar days but not more than 30 calendar days from nonresidents residing within the same intermediate district for enrollment in that grade, school, or program. The notice ~~shall~~ **must** identify the dates of the application period and the place and manner for submitting applications.

(B) During the application period under sub-subparagraph (A), accept applications from nonresidents residing within the same intermediate district for enrollment in that grade, school, or program.

(C) Within 15 calendar days after the end of the application period under sub-subparagraph (A) **or, for 2020-2021 only, not later than October 13, 2020**, using the procedures and preferences required under this section, determine which nonresident applicants will be allowed to enroll in that grade, school, or program, using the random draw system required under subsection (14) as necessary, and notify the parent or legal guardian of each nonresident applicant of whether or not the applicant may enroll in the district. The notification to parents or legal guardians of nonresident applicants accepted for enrollment ~~shall~~ **must** contain notification of the date by which the applicant must enroll in the district and procedures for enrollment. The date for enrollment ~~shall~~ **must** be no later than the end of the first week of school**, or, for 2020-2021 only, not later than October 13, 2020**.

(*ii*) Beginning on the third Monday in August and not later than the end of the first week of school ~~,~~ **or, for 2020-2021 only, not later than October 13, 2020,** if any positions become available in a grade, school, or program due to accepted applicants failing to enroll or to more positions being added, the district may enroll nonresident applicants from the waiting list maintained under subsection (14), offering enrollment in the order that applicants appear on the waiting list. If there are still positions available after enrolling all applicants from the waiting list who desire to enroll, the district may not fill those positions until the second

semester or trimester enrollment under subsection (3), as provided under that subsection, or until the next school year.

(c) For a grade, school, or program that has an unlimited number of positions available for nonresidents residing within the same intermediate district, all of the following apply to enrollment of nonresidents in that grade, school, or program:

(*i*) The district may accept applications for enrollment in that grade, school, or program, and may enroll nonresidents residing within the same intermediate district in that grade, school, or program ~~,~~ until the end of the first week of school **or, for 2020-2021 only, the district may enroll nonresidents residing within the same intermediate district in that grade, school, or program until October 13, 2020 if the application was received by the end of the first week of school**. The district shall provide notice to the general public of the place and manner for submitting applications and, if the district has a limited application period, the notice ~~shall~~ **must** include the dates of the application period. The application period shall be at least a 15-calendar-day period.

(*ii*) Not later than the end of the first week of school ~~,~~ **or, for 2020-2021 only, not later than October 13, 2020,** the district shall notify the parent or legal guardian of each nonresident applicant who is accepted for enrollment that the applicant has been accepted for enrollment in the grade, school, or program and of the procedures for enrollment. The date for enrollment ~~shall~~ **must** be no later than the end of the first week of school **or, for 2020-2021 only, not later than October 13, 2020**.

(3) If a district determines during the first semester or trimester of a school year that it has positions available for enrollment of a number of nonresidents residing within the same intermediate district, beyond those entitled to preference under this section, for the second semester or trimester of the school year, the district may accept applications from and enroll nonresidents residing within the same intermediate district for the second semester or trimester using the following procedures:

(a) Not later than 2 weeks before the end of the first semester or trimester, the district shall publish the grades, schools, and special programs, if any, for which enrollment for the second semester or trimester may be available to, and for which applications will be accepted from, nonresident applicants residing within the same intermediate district.

(b) During the last 2 weeks of the first semester or trimester, the district shall accept applications from nonresidents residing within the same intermediate district for enrollment for the second semester or trimester in the available grades, schools, and programs.

(c) By the beginning of the second semester or trimester, using the procedures and preferences required under this section, the district shall determine which nonresident applicants will be allowed to enroll in the district for the second semester or trimester and notify the parent or legal guardian of each nonresident applicant residing within the same intermediate district of whether or not the applicant may enroll in the district. The notification to parents or legal guardians of nonresident applicants accepted for enrollment ~~shall~~ **must** contain notification of the date by which the applicant must enroll in the district and procedures for enrollment. The date for enrollment ~~shall~~ **must** be no later than the end of the first week of school.

(4) If deadlines similar to those described in subsection (2) or (3) have been established in an intermediate district, and if those deadlines are not later than the deadlines under subsection (2) or (3), the districts within the intermediate district may use those deadlines.

(5) A district offering to enroll nonresident applicants residing within the same intermediate district may limit the number of nonresident pupils it accepts in a grade, school, or program, at its discretion, and may use that limit as the reason for refusal to enroll an applicant.

(6) A nonresident applicant residing within the same intermediate district ~~shall~~ **must** not be granted or refused enrollment based on intellectual, academic, artistic, or other ability, talent, or accomplishment, or lack thereof, or based on a mental or physical disability, except that a district may refuse to admit a nonresident applicant if the applicant does not meet the same criteria, other than residence, that an applicant who is a resident of the district must meet to be accepted for enrollment in a grade or a specialized, magnet, or intra-district choice school or program to which the applicant applies.

(7) A nonresident applicant residing within the same intermediate district ~~shall~~ **must** not be granted or refused enrollment based on age, except that a district may refuse to admit a nonresident applicant applying for a program that is not appropriate for the age of the applicant.

(8) A nonresident applicant residing within the same intermediate district ~~shall~~ **must** not be granted or refused enrollment based upon religion, race, color, national origin, sex, height, weight, marital status, or athletic ability, or, generally, in violation of any state or federal law prohibiting discrimination.

(9) Subject to subsection (10), a district may refuse to enroll a nonresident applicant if any of the following are met:

(a) The applicant is, or has been within the preceding 2 years, suspended from another school.

(b) The applicant, at any time before enrolling under this section, has been expelled from another school.

(c) The applicant, at any time before enrolling under this section, has been convicted of a felony.

(10) If a district has counted a pupil in membership on either the pupil membership count day or the supplemental count day, the district shall not refuse to enroll or refuse to continue to enroll that pupil for a reason specified in subsection (9). This subsection does not prohibit a district from expelling a pupil described in this subsection for disciplinary reasons.

(11) A district shall continue to allow a pupil who was enrolled in and attended the district under this section in the school year or semester or trimester immediately preceding the school year or semester or trimester in question to enroll in the district until the pupil graduates from high school. This subsection does not prohibit a district from expelling a pupil described in this subsection for disciplinary reasons.

(12) A district shall give preference for enrollment under this section over all other nonresident applicants residing within the same intermediate district to other school-age children who reside in the same household as a pupil described in subsection (11).

(13) If a nonresident pupil was enrolled in and attending school in a district as a nonresident pupil in the 1995-96 school year and continues to be enrolled continuously each school year in that district, the district shall allow that nonresident pupil to continue to enroll in and attend school in the district until high school graduation, without requiring the nonresident pupil to apply for enrollment under this section. This subsection does not prohibit a district from expelling a pupil described in this subsection for disciplinary reasons.

(14) If the number of qualified nonresident applicants eligible for acceptance in a school, grade, or program does not exceed the positions available for nonresident pupils in the school, grade, or program, the school district shall accept for enrollment all of the qualified nonresident applicants eligible for acceptance. If the number of qualified nonresident applicants residing within the same intermediate district eligible for acceptance exceeds the positions available in a grade, school, or program in a district for nonresident pupils, the district shall use a random draw system, subject to the need to abide by state and federal antidiscrimination laws and court orders and subject to preferences allowed by this section. The district shall develop and maintain a waiting list based on the order in which nonresident applicants were drawn under this random draw system.

(15) If a district, or the nonresident applicant, requests the district in which a nonresident applicant resides to supply information needed by the district for evaluating the applicant's application for enrollment or for enrolling the applicant, the district of residence shall provide that information on a timely basis.

(16) If a district is subject to a court-ordered desegregation plan, and if the court issues an order prohibiting pupils residing in that district from enrolling in another district or prohibiting pupils residing in another district from enrolling in that district, this section is subject to the court order.

(17) This section does not require a district to provide transportation for a nonresident pupil enrolled in the district under this section or for a resident pupil enrolled in another district under this section. However, at the time a nonresident pupil enrolls in the district, a district shall provide to the pupil's parent or legal guardian information on available transportation to and from the school in which the pupil enrolls.

(18) A district may participate in a cooperative education program with 1 or more other districts or intermediate districts whether or not the district enrolls any nonresidents ~~pursuant to~~ **under** this section.

(19) A district that, ~~pursuant to~~ **under** this section, enrolls a nonresident pupil who is eligible for special education programs and services according to statute or rule, or who is a child with disabilities, as defined under the individuals with disabilities education act, Public Law 108-446, ~~shall be~~ **is** considered to be the resident district of the pupil for the purpose of providing the pupil with a free appropriate public education. Consistent with state and federal law, that district is responsible for developing and implementing an individualized education ~~plan~~ **program** annually for a nonresident pupil described in this subsection.

(20) If a district does not comply with this section, the district forfeits 5% of the total state school aid allocation to the district under this act.

(21) Upon application by a district, the superintendent may grant a waiver for the district from a specific requirement under this section for not more than 1 year.

Sec. 105c. (1) In order to avoid a penalty under this section, and in order to count a nonresident pupil residing in a district located in a contiguous intermediate district in membership without the approval of the pupil's district of residence, a district ~~shall~~ **must** comply with this section.

(2) Except as otherwise provided in this section, a district shall determine whether or not it will accept applications for enrollment by nonresident applicants residing in a district located in a contiguous intermediate district for the next school year. If the district determines to accept applications for enrollment of a number of nonresidents under this section, beyond those entitled to preference under this section, the

district shall use the following procedures for accepting applications from and enrolling nonresidents under this section:

(a) The district shall publish the grades, schools, and special programs, if any, for which enrollment may be available to, and for which applications will be accepted from, nonresident applicants residing in a district located in a contiguous intermediate district.

(b) If the district has a limited number of positions available for nonresidents residing in a district located in a contiguous intermediate district in a grade, school, or program, all of the following apply to accepting applications for and enrollment of nonresidents under this section in that grade, school, or program:

(*i*) The district shall do all of the following not later than the second Friday in August:

(A) Provide notice to the general public that applications will be taken for a period of at least 15 calendar days but not more than 30 calendar days from nonresidents residing in a district located in a contiguous intermediate district for enrollment in that grade, school, or program. The notice ~~shall~~ **must** identify the dates of the application period and the place and manner for submitting applications.

(B) During the application period under sub-subparagraph (A), accept applications from nonresidents residing in a district located in a contiguous intermediate district for enrollment in that grade, school, or program.

(C) Within 15 calendar days after the end of the application period under sub-subparagraph (A) **or, for 2020-2021 only, not later than October 13, 2020**, using the procedures and preferences required under this section, determine which nonresident applicants will be allowed to enroll under this section in that grade, school, or program, using the random draw system required under subsection (14) as necessary, and notify the parent or legal guardian of each nonresident applicant of whether or not the applicant may enroll in the district. The notification to parents or legal guardians of nonresident applicants accepted for enrollment under this section ~~shall~~ **must** contain notification of the date by which the applicant must enroll in the district and procedures for enrollment. The date for enrollment ~~shall~~ **must** be no later than the end of the first week of school **or, for 2020-2021 only, not later than October 13, 2020**.

(*ii*) Beginning on the third Monday in August and not later than the end of the first week of school **or, for 2020-2021 only, not later than October 13, 2020**, if any positions become available in a grade, school, or program due to accepted applicants failing to enroll or to more positions being added, the district may enroll nonresident applicants from the waiting list maintained under subsection (14), offering enrollment in the order that applicants appear on the waiting list. If there are still positions available after enrolling all applicants from the waiting list who desire to enroll, the district may not fill those positions until the second semester or trimester enrollment under subsection (3), as provided under that subsection, or until the next school year.

(c) For a grade, school, or program that has an unlimited number of positions available for nonresidents residing in a district located in a contiguous intermediate district, all of the following apply to enrollment of nonresidents in that grade, school, or program under this section:

(*i*) The district may accept applications for enrollment in that grade, school, or program, and may enroll nonresidents residing in a district located in a contiguous intermediate district in that grade, school, or program ~~,~~ until the end of the first week of school **or, for 2020-2021 only, the district may enroll nonresidents residing in a district located in a contiguous intermediate district in that grade, school, or program until October 13, 2020 if the application was received by the end of the first week of school**. The district shall provide notice to the general public of the place and manner for submitting applications and, if the district has a limited application period, the notice ~~shall~~ **must** include the dates of the application period. The application period ~~shall~~ **must** be at least a 15-calendar-day period.

(*ii*) Not later than the end of the first week of school **or, for 2020-2021 only, not later than October 13, 2020**, the district shall notify the parent or legal guardian of each nonresident applicant who is accepted for enrollment under this section that the applicant has been accepted for enrollment in the grade, school, or program and of the date by which the applicant must enroll in the district and the procedures for enrollment. The date for enrollment ~~shall~~ **must** be no later than the end of the first week of school **or, for 2020-2021 only, not later than October 13, 2020**.

(3) If a district determines during the first semester or trimester of a school year that it has positions available for enrollment of a number of nonresidents residing in a district located in a contiguous intermediate district, beyond those entitled to preference under this section, for the second semester or trimester of the school year, the district may accept applications from and enroll nonresidents residing in a district located in a contiguous intermediate district for the second semester or trimester using the following procedures:

(a) Not later than 2 weeks before the end of the first semester or trimester, the district shall publish the grades, schools, and special programs, if any, for which enrollment for the second semester or trimester may

be available to, and for which applications will be accepted from, nonresident applicants residing in a district located in a contiguous intermediate district.

(b) During the last 2 weeks of the first semester or trimester, the district shall accept applications from nonresidents residing in a district located in a contiguous intermediate district for enrollment for the second semester or trimester in the available grades, schools, and programs.

(c) By the beginning of the second semester or trimester, using the procedures and preferences required under this section, the district shall determine which nonresident applicants will be allowed to enroll under this section in the district for the second semester or trimester and notify the parent or legal guardian of each nonresident applicant residing in a district located in a contiguous intermediate district of whether or not the applicant may enroll in the district. The notification to parents or legal guardians of nonresident applicants accepted for enrollment ~~shall~~ **must** contain notification of the date by which the applicant must enroll in the district and procedures for enrollment. The date for enrollment ~~shall~~ **must** be no later than the end of the first week of school.

(4) If deadlines similar to those described in subsection (2) or (3) have been established in an intermediate district, and if those deadlines are not later than the deadlines under subsection (2) or (3), the districts within the intermediate district may use those deadlines.

(5) A district offering to enroll nonresident applicants residing in a district located in a contiguous intermediate district may limit the number of those nonresident pupils it accepts in a grade, school, or program, at its discretion, and may use that limit as the reason for refusal to enroll an applicant under this section.

(6) A nonresident applicant residing in a district located in a contiguous intermediate district ~~shall~~ **must** not be granted or refused enrollment based on intellectual, academic, artistic, or other ability, talent, or accomplishment, or lack thereof, or based on a mental or physical disability, except that a district may refuse to admit a nonresident applicant under this section if the applicant does not meet the same criteria, other than residence, that an applicant who is a resident of the district must meet to be accepted for enrollment in a grade or a specialized, magnet, or intra-district choice school or program to which the applicant applies.

(7) A nonresident applicant residing in a district located in a contiguous intermediate district ~~shall~~ **must** not be granted or refused enrollment under this section based on age, except that a district may refuse to admit a nonresident applicant applying for a program that is not appropriate for the age of the applicant.

(8) A nonresident applicant residing in a district located in a contiguous intermediate district ~~shall~~ **must** not be granted or refused enrollment under this section based upon religion, race, color, national origin, sex, height, weight, marital status, or athletic ability, or, generally, in violation of any state or federal law prohibiting discrimination.

(9) Subject to subsection (10), a district may refuse to enroll a nonresident applicant under this section if any of the following are met:

(a) The applicant is, or has been within the preceding 2 years, suspended from another school.

(b) The applicant, at any time before enrolling under this section, has been expelled from another school.

(c) The applicant, at any time before enrolling under this section, has been convicted of a felony.

(10) If a district has counted a pupil in membership on either the pupil membership count day or the supplemental count day, the district shall not refuse to enroll or refuse to continue to enroll that pupil for a reason specified in subsection (9). This subsection does not prohibit a district from expelling a pupil described in this subsection for disciplinary reasons.

(11) A district shall continue to allow a pupil who was enrolled in and attended the district under this section in the school year or semester or trimester immediately preceding the school year or semester or trimester in question to enroll in the district until the pupil graduates from high school. This subsection does not prohibit a district from expelling a pupil described in this subsection for disciplinary reasons.

(12) A district shall give preference for enrollment under this section over all other nonresident applicants residing in a district located in a contiguous intermediate district to other school-age children who reside in the same household as a pupil described in subsection (11).

(13) If a nonresident pupil was enrolled in and attending school in a district as a nonresident pupil in the 1995-96 school year and continues to be enrolled continuously each school year in that district, the district shall allow that nonresident pupil to continue to enroll in and attend school in the district until high school graduation, without requiring the nonresident pupil to apply for enrollment under this section. This subsection does not prohibit a district from expelling a pupil described in this subsection for disciplinary reasons.

(14) If the number of qualified nonresident applicants eligible for acceptance under this section in a school, grade, or program does not exceed the positions available for nonresident pupils under this section in the school, grade, or program, the school district shall accept for enrollment all of the qualified nonresident

applicants eligible for acceptance. If the number of qualified nonresident applicants residing in a district located in a contiguous intermediate district eligible for acceptance under this section exceeds the positions available in a grade, school, or program in a district for nonresident pupils, the district shall use a random draw system, subject to the need to abide by state and federal antidiscrimination laws and court orders and subject to preferences allowed by this section. The district shall develop and maintain a waiting list based on the order in which nonresident applicants were drawn under this random draw system.

(15) If a district, or the nonresident applicant, requests the district in which a nonresident applicant resides to supply information needed by the district for evaluating the applicant's application for enrollment or for enrolling the applicant under this section, the district of residence shall provide that information on a timely basis.

(16) If a district is subject to a court-ordered desegregation plan, and if the court issues an order prohibiting pupils residing in that district from enrolling in another district or prohibiting pupils residing in another district from enrolling in that district, this section is subject to the court order.

(17) This section does not require a district to provide transportation for a nonresident pupil enrolled in the district under this section or for a resident pupil enrolled in another district under this section. However, at the time a nonresident pupil enrolls in the district, a district shall provide to the pupil's parent or legal guardian information on available transportation to and from the school in which the pupil enrolls.

(18) A district may participate in a cooperative education program with 1 or more other districts or intermediate districts whether or not the district enrolls any nonresidents pursuant to this section.

(19) In order for a district or intermediate district to enroll ~~pursuant to~~ **under** this section a nonresident pupil who resides in a district located in a contiguous intermediate district and who is eligible for special education programs and services according to statute or rule, or who is a child with disabilities, as defined under the individuals with disabilities education act, Public Law 108-446, the enrolling district shall have a written agreement with the resident district of the pupil for the purpose of providing the pupil with a free appropriate public education. The written agreement ~~shall~~ **must** include, but is not limited to, an agreement on the responsibility for the payment of the added costs of special education programs and services for the pupil. The written agreement ~~shall~~ **must** address how the agreement ~~shall~~ **must** be amended in the event of significant changes in the costs or level of special education programs or services required by the pupil.

(20) If a district does not comply with this section, the district forfeits 5% of the total state school aid allocation to the district under this act.

(21) Upon application by a district, the superintendent may grant a waiver for the district from a specific requirement under this section for not more than 1 year.

(22) This section is repealed if the final decision of a court of competent jurisdiction holds that any portion of this section is unconstitutional, ineffective, invalid, or in violation of federal law.

(23) As used in this section, "district located in a contiguous intermediate district" means a district located in an intermediate district that is contiguous to the intermediate district in which a pupil's district of residence is located.

Sec. 107. (1) From the appropriation in section 11, there is allocated an amount not to exceed $30,000,000.00 for ~~2019-2020~~ **2020-2021** for adult education programs authorized under this section. Except as otherwise provided under subsections (14) and (15), funds allocated under this section are restricted for adult education programs as authorized under this section only. A recipient of funds under this section shall not use those funds for any other purpose.

(2) To be eligible for funding under this section, an eligible adult education provider shall employ certificated teachers and qualified administrative staff and shall offer continuing education opportunities for teachers to allow them to maintain certification.

(3) To be eligible to be a participant funded under this section, an individual must be enrolled in an adult basic education program, an adult secondary education program, an adult English as a second language program, a high school equivalency test preparation program, or a high school completion program, that meets the requirements of this section, and for which instruction is provided, and the individual must be at least 18 years of age and the individual's graduating class must have graduated.

(4) By April 1 of each fiscal year, the intermediate districts within a prosperity region or subregion shall determine which intermediate district will serve as the prosperity region's or subregion's fiscal agent for the next fiscal year and shall notify the department in a form and manner determined by the department. The department shall approve or disapprove of the prosperity region's or subregion's selected fiscal agent. From the funds allocated under subsection (1), an amount as determined under this subsection is allocated to each intermediate district serving as a fiscal agent for adult education programs in each of the prosperity regions or subregions identified by the department. An intermediate district shall not use more than 5% of the funds allocated under this subsection for administration costs for serving as the fiscal agent. ~~Beginning in 2019-~~

~~2020, the~~ **The** allocation provided to each intermediate district serving as a fiscal agent is an amount equal to what the intermediate district received in 2018-2019. ~~The funding factors for this section are as follows:~~

~~(a) Sixty percent of this portion of the funding is distributed based upon the proportion of the state population of individuals between the ages of 18 and 24 that are not high school graduates that resides in each of the prosperity regions or subregions, as reported by the most recent 5-year estimates from the American Community Survey (ACS) from the United States Census Bureau.~~

~~(b) Thirty-five percent of this portion of the funding is distributed based upon the proportion of the state population of individuals age 25 or older who are not high school graduates that resides in each of the prosperity regions or subregions, as reported by the most recent 5-year estimates from the American Community Survey (ACS) from the United States Census Bureau.~~

~~(c) Five percent of this portion of the funding is distributed based upon the proportion of the state population of individuals age 18 or older who lack basic English language proficiency that resides in each of the prosperity regions or subregions, as reported by the most recent 5-year estimates from the American Community Survey (ACS) from the United States Census Bureau.~~

(5) To be an eligible fiscal agent, an intermediate district must agree to do the following in a form and manner determined by the department:

(a) Distribute funds to adult education programs in a prosperity region or subregion as described in this section.

(b) Collaborate with the career and educational advisory council, which is an advisory council of the workforce development boards located in the prosperity region or subregion, or its successor, to develop a regional strategy that aligns adult education programs and services into an efficient and effective delivery system for adult education learners, with special consideration for providing contextualized learning and career pathways and addressing barriers to education and employment.

(c) Collaborate with the career and educational advisory council, which is an advisory council of the workforce development boards located in the prosperity region or subregion, or its successor, to create a local process and criteria that will identify eligible adult education providers to receive funds allocated under this section based on location, demand for services, past performance, quality indicators as identified by the department, and cost to provide instructional services. The fiscal agent shall determine all local processes, criteria, and provider determinations. However, the local processes, criteria, and provider services must be approved by the department before funds may be distributed to the fiscal agent.

(d) Provide oversight to its adult education providers throughout the program year to ensure compliance with the requirements of this section.

(e) Report adult education program and participant data and information as prescribed by the department.

(6) An adult basic education program, an adult secondary education program, or an adult English as a second language program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who are determined by a department-approved assessment, in a form and manner prescribed by the department, to be below twelfth grade level in reading or mathematics, or both, or to lack basic English proficiency.

(b) The program tests individuals for eligibility under subdivision (a) before enrollment and upon completion of the program in compliance with the state-approved assessment policy.

(c) A participant in an adult basic education program is eligible for reimbursement until 1 of the following occurs:

(*i*) The participant's reading and mathematics proficiency are assessed at or above the ninth grade level.

(*ii*) The participant fails to show progress on 2 successive assessments after having completed at least 450 hours of instruction.

(d) A participant in an adult secondary education program is eligible for reimbursement until 1 of the following occurs:

(*i*) The participant's reading and mathematics proficiency are assessed above the twelfth grade level.

(*ii*) The participant fails to show progress on 2 successive assessments after having at least 450 hours of instruction.

(e) A funding recipient enrolling a participant in an English as a second language program is eligible for funding according to subsection (9) until the participant meets 1 of the following:

(*i*) The participant is assessed as having attained basic English proficiency as determined by a department-approved assessment.

(*ii*) The participant fails to show progress on 2 successive department-approved assessments after having completed at least 450 hours of instruction. The department shall provide information to a funding recipient regarding appropriate assessment instruments for this program.

(7) A high school equivalency test preparation program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who do not have a high school diploma or a high school equivalency certificate.

(b) The program administers a pre-test approved by the department before enrolling an individual to determine the individual's literacy levels, administers a high school equivalency practice test to determine the individual's potential for success on the high school equivalency test, and administers a post-test upon completion of the program in compliance with the state-approved assessment policy.

(c) A funding recipient receives funding according to subsection (9) for a participant, and a participant may be enrolled in the program until 1 of the following occurs:

(*i*) The participant achieves a high school equivalency certificate.

(*ii*) The participant fails to show progress on 2 successive department-approved assessments used to determine readiness to take a high school equivalency test after having completed at least 450 hours of instruction.

(8) A high school completion program operated on a year-round or school year basis may be funded under this section, subject to all of the following:

(a) The program enrolls adults who do not have a high school diploma.

(b) The program tests participants described in subdivision (a) before enrollment and upon completion of the program in compliance with the state-approved assessment policy.

(c) A funding recipient receives funding according to subsection (9) for a participant in a course offered under this subsection until 1 of the following occurs:

(*i*) The participant passes the course and earns a high school diploma.

(*ii*) The participant fails to earn credit in 2 successive semesters or terms in which the participant is enrolled after having completed at least 900 hours of instruction.

(9) The department shall make payments to a funding recipient under this section in accordance with all of the following:

(a) Statewide allocation criteria, including 3-year average enrollments, census data, and local needs.

(b) Participant completion of the adult basic education objectives by achieving an educational gain as determined by the national reporting system levels; for achieving basic English proficiency, as determined by the department; for achieving a high school equivalency certificate or passage of 1 or more individual high school equivalency tests; for attainment of a high school diploma or passage of a course required for a participant to attain a high school diploma; for enrollment in a postsecondary institution, or for entry into or retention of employment, as applicable.

(c) Participant completion of core indicators as identified in the innovation and opportunity act.

(d) Allowable expenditures.

(10) A person who is not eligible to be a participant funded under this section may receive adult education services upon the payment of tuition. In addition, a person who is not eligible to be served in a program under this section due to the program limitations specified in subsection (6), (7), or (8) may continue to receive adult education services in that program upon the payment of tuition. The local or intermediate district conducting the program shall determine the tuition amount.

(11) An individual who is an inmate in a state correctional facility is not counted as a participant under this section.

(12) A funding recipient shall not commingle money received under this section or from another source for adult education purposes with any other funds and shall establish a separate ledger account for funds received under this section. This subsection does not prohibit a district from using general funds of the district to support an adult education or community education program.

(13) A funding recipient receiving funds under this section may establish a sliding scale of tuition rates based upon a participant's family income. A funding recipient may charge a participant tuition to receive adult education services under this section from that sliding scale of tuition rates on a uniform basis. The amount of tuition charged per participant must not exceed the actual operating cost per participant minus any funds received under this section per participant. A funding recipient may not charge a participant tuition under this section if the participant's income is at or below 200% of the federal poverty guidelines published by the United States Department of Health and Human Services.

(14) In order to receive funds under this section, a funding recipient shall furnish to the department, in a form and manner determined by the department, all information needed to administer this program and meet federal reporting requirements; shall allow the department or the department's designee to review all records related to the program for which it receives funds; and shall reimburse the state for all disallowances found in the review, as determined by the department. In addition, a funding recipient shall agree to pay to a career and technical education program under section 61a the amount of funding received under this section in the proportion of career and technical education coursework used to satisfy adult basic education programming,

as billed to the funding recipient by programs operating under section 61a. In addition to the funding allocated under subsection (1), there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $500,000.00 to reimburse funding recipients for administrative and instructional expenses associated with commingling programming under this section and section 61a. The department shall make payments under this subsection to each funding recipient in the same proportion as funding calculated and allocated under subsection (4).

(15) From the amount appropriated in subsection (1), an amount not to exceed $4,000,000.00 is allocated for ~~2019-2020~~ **2020-2021** for grants to adult education or **state-approved** career technical center programs that connect adult education participants with employers as provided under this subsection. The department shall determine the amount of the grant to each program under this subsection, not to exceed $350,000.00. To be eligible for funding under this subsection, a program must provide a collaboration linking adult education programs within the county, the area career technical center, and local employers. To receive funding under this subsection, an eligible program must satisfy all of the following:

(a) Connect adult education participants directly with employers by linking adult education, career and technical skills, and workforce development.

(b) Require adult education staff to work with Michigan Works! agency to identify a cohort of participants who are most prepared to successfully enter the workforce. ~~Participants~~ **Except as otherwise provided under this subdivision, participants** identified under this subsection must be dually enrolled in adult education programming and in at least 1 **state-approved** technical course at the area career and technical center. **A program that links participants identified under this subsection with adult education programming and commercial driver license courses does not need to enroll the participants in at least 1 state-approved technical course at the area career and technical center to be considered an eligible program under this subsection.**

(c) Employ an individual staffed as an adult education navigator who will serve as a caseworker for each participant identified under subdivision (b). The navigator shall work with adult education staff and potential employers to design an educational program best suited to the personal and employment needs of the participant and shall work with human service agencies or other entities to address any barrier in the way of participant access.

~~(16) A program that was a pilot program in 2017-2018 and that was funded under this section in 2017-2018 is funded in 2019-2020 unless the program ceases operation. The intermediate district in which that pilot program was funded is the fiscal agent for that program and shall apply for that program's funding under subsection (15).~~

(16) ~~(17)~~ Each program funded under subsection (15) will receive funding for 3 years. After 3 years of operations and funding, a program must reapply for funding.

(17) ~~(18)~~ Not later than December 1 ~~, 2020,~~ **of each year,** a program funded under subsection (15) shall provide a report to the senate and house appropriations subcommittees on school aid, to the senate and house fiscal agencies, and to the state budget director identifying the number of participants, graduation rates, and a measure of transition to employment.

(18) It is the intent of the legislature to implement a phased-in cap on the percentage of adult education participants under subsection (15) that may already have a high school diploma or a high school equivalency certificate at the time of enrollment.

(19) The department shall approve at least 3 high school equivalency tests and determine whether a high school equivalency certificate meets the requisite standards for high school equivalency in this state.

(20) As used in this section:

(a) "Career and educational advisory council" means an advisory council to the local workforce development boards located in a prosperity region consisting of educational, employer, labor, and parent representatives.

(b) "Career pathway" means a combination of rigorous and high-quality education, training, and other services that comply with all of the following:

(*i*) Aligns with the skill needs of industries in the economy of this state or in the regional economy involved.

(*ii*) Prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the act of August 16, 1937 (commonly known as the "national apprenticeship act"), 29 USC 50 et seq.

(*iii*) Includes counseling to support an individual in achieving the individual's education and career goals.

(*iv*) Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

(*v*) Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable.

(*vi*) Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential.

(*vii*) Helps an individual enter or advance within a specific occupation or occupational cluster.

(c) "Department" means the department of labor and economic opportunity.

(d) "Eligible adult education provider" means a district, intermediate district, a consortium of districts, a consortium of intermediate districts, or a consortium of districts and intermediate districts that is identified as part of the local process described in subsection (5)(c) and approved by the department.

Sec. 147. (1) The allocation for ~~2019-2020~~ **2020-2021** for the public school employees' retirement system pursuant to the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, is made using the individual projected benefit entry age normal cost method of valuation and risk assumptions adopted by the public school employees retirement board and the department of technology, management, and budget.

(2) The annual level percentage of payroll contribution rates for the ~~2019-2020~~ **2020-2021** fiscal year, as determined by the retirement system, are estimated as follows:

(a) For public school employees who first worked for a public school reporting unit before July 1, 2010 and who are enrolled in the health premium subsidy, the annual level percentage of payroll contribution rate is estimated at ~~39.91%,~~ **42.72%** with ~~27.50%~~ **28.21%** paid directly by the employer.

(b) For public school employees who first worked for a public school reporting unit on or after July 1, 2010 and who are enrolled in the health premium subsidy, the annual level percentage of payroll contribution rate is estimated at ~~36.96%,~~ **39.76%** with ~~24.55%~~ **25.25%** paid directly by the employer.

(c) For public school employees who first worked for a public school reporting unit on or after July 1, 2010 and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at ~~36.44%,~~ **38.90%** with ~~24.03%~~ **24.39%** paid directly by the employer.

(d) For public school employees who first worked for a public school reporting unit on or after September 4, 2012, who elect defined contribution, and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at ~~33.37%~~ **35.47%** with 20.96% paid directly by the employer.

(e) For public school employees who first worked for a public school reporting unit before July 1, 2010, who elect defined contribution, and who are enrolled in the health premium subsidy, the annual level percentage of payroll contribution rate is estimated at ~~33.89%~~ **36.33%** with ~~21.48%~~ **21.82%** paid directly by the employer.

(f) For public school employees who first worked for a public school reporting unit before July 1, 2010, who elect defined contribution, and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at ~~33.37%,~~ **35.47%** with 20.96% paid directly by the employer.

(g) For public school employees who first worked for a public school reporting unit before July 1, 2010 and who participate in the personal healthcare fund, the annual level percentage of payroll contribution rate is estimated at ~~39.39%,~~ **41.86%** with ~~26.98%~~ **27.35%** paid directly by the employer.

(h) For public school employees who first worked for a public school reporting unit after January 31, 2018 and who elect to become members of the MPSERS plan, the annual level percentage of payroll contribution rate is estimated at ~~39.57%~~ **41.67%** with 27.16% paid directly by the employer.

(3) In addition to the employer payments described in subsection (2), the employer shall pay the applicable contributions to the Tier 2 plan, as determined by the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(4) The contribution rates in subsection (2) reflect an amortization period of ~~19~~ **18** years for ~~2019-2020.~~ **2020-2021.** The public school employees' retirement system board shall notify each district and intermediate district by February 28 of each fiscal year of the estimated contribution rate for the next fiscal year.

Sec. 147a. (1) From the appropriation in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $100,000,000.00 for payments to participating districts. A participating district that receives money under this subsection shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the district for the fiscal year in which it is received. The amount allocated to each participating district under this subsection is based on each participating district's percentage of the total statewide payroll for all participating districts for the immediately preceding fiscal year. As used in this subsection, "participating district" means a district that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(2) In addition to the allocation under subsection (1), from the state school aid fund money appropriated under section 11, there is allocated an amount not to exceed ~~$171,986,000.00~~ **$155,136,000.00** for ~~2019-2020~~ **2020-2021** for payments to participating districts and intermediate districts and from the general fund money appropriated under section 11, there is allocated an amount not to exceed ~~$83,000.00~~ **$70,000.00** for ~~2019-2020~~ **2020-2021** for payments to participating district libraries. The amount allocated to each participating entity under this subsection is based on each participating entity's ~~percentage of the total statewide payroll for that type of participating entity for the immediately preceding fiscal year.~~ **reported quarterly payroll for members that became tier 1 prior to February 1, 2018 for the current fiscal year.** A participating entity that receives money under this subsection shall use that money solely for the purpose of offsetting a portion of the normal cost contribution rate. As used in this subsection:

(a) "District library" means a district library established under the district library establishment act, 1989 PA 24, MCL 397.171 to 397.196.

(b) "Participating entity" means a district, intermediate district, or district library that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

Sec. 147c. From the state school aid fund money appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed ~~$1,000,400,000.00, and from the MPSERS retirement obligation reform reserve fund money appropriated in section 11, there is allocated for 2019-2020 an amount not to exceed $30,000,000.00,~~ **$1,219,300,000.00** for payments to districts and intermediate districts that are participating entities of the Michigan public school employees' retirement system. In addition, from the general fund money appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $500,000.00 for payments to district libraries that are participating entities of the Michigan public school employees' retirement system. All of the following apply to funding under this subsection:

(a) For ~~2019-2020,~~ **2020-2021,** the amounts allocated under this subsection are estimated to provide an average MPSERS rate cap per pupil amount of ~~$693.00~~ **$827.00** and are estimated to provide a rate cap per pupil for districts ranging between ~~$4.00~~ **$5.00** and $4,000.00.

(b) Payments made under this subsection are equal to the difference between the unfunded actuarial accrued liability contribution rate as calculated pursuant to section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, as calculated without taking into account the maximum employer rate of 20.96% included in section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum employer rate of 20.96% included in section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341.

(c) The amount allocated to each participating entity under this subsection is based on each participating entity's proportion of the total covered payroll for the immediately preceding fiscal year for the same type of participating entities. A participating entity that receives funds under this subsection shall use the funds solely for the purpose of retirement contributions as specified in subdivision (d).

(d) Each participating entity receiving funds under this subsection shall forward an amount equal to the amount allocated under subdivision (c) to the retirement system in a form, manner, and time frame determined by the retirement system.

(e) Funds allocated under this subsection should be considered when comparing a district's growth in total state aid funding from 1 fiscal year to the next.

(f) Not later than December 20, ~~2019,~~ **2020,** the department shall publish and post on its website an estimated MPSERS rate cap per pupil for each district.

(g) The office of retirement services shall first apply funds allocated under this subsection to pension contributions and, if any funds remain after that payment, shall apply those remaining funds to other postemployment benefit contributions.

(h) As used in this section:

(*i*) "District library" means a district library established under the district library establishment act, 1989 PA 24, MCL 397.171 to 397.196.

(*ii*) "MPSERS rate cap per pupil" means an amount equal to the quotient of the district's payment under this subsection divided by the district's pupils in membership.

(*iii*) "Participating entity" means a district, intermediate district, or district library that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(*iv*) "Retirement board" means the board that administers the retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(*v*) "Retirement system" means the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

Sec. 147e. (1) From the appropriation in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed ~~$1,900,000.00 from the MPSERS retirement obligation reform reserve fund and $26,471,000.00~~ **$51,400,000.00** from the state school aid fund for payments to participating entities.

(2) The payment to each participating entity under this section is the sum of the amounts under this subsection as follows:

(a) An amount equal to the contributions made by a participating entity for the additional contribution made to a qualified participant's Tier 2 account in an amount equal to the contribution made by the qualified participant not to exceed 3% of the qualified participant's compensation as provided for under section 131(6) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1431.

(b) Beginning October 1, 2017, an amount equal to the contributions made by a participating entity for a qualified participant who is only a Tier 2 qualified participant under section 81d of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1381d, not to exceed 4%, and, beginning February 1, 2018, not to exceed 1%, of the qualified participant's compensation.

(c) An amount equal to the increase in employer normal cost contributions under section 41b(2) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341b, for a member that was hired after February 1, 2018 and chose to participate in Tier 1, compared to the employer normal cost contribution for a member under section 41b(1) of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341b.

(3) As used in this section:

(a) "Member" means that term as defined under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(b) "Participating entity" means a district, intermediate district, or community college that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(c) "Qualified participant" means that term as defined under section 124 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1424.

Sec. 152a. (1) As required by the court in the consolidated cases known as *Adair v State of Michigan*, 486 Mich 468 (2010), from the state school aid fund money appropriated in section 11, there is allocated for ~~2019-2020~~ **2020-2021** an amount not to exceed $38,000,500.00 to be used solely for the purpose of paying necessary costs related to the state-mandated collection, maintenance, and reporting of data to this state.

(2) From the allocation in subsection (1), the department shall make payments to districts and intermediate districts in an equal amount per-pupil based on the total number of pupils in membership in each district and intermediate district. The department shall not make any adjustment to these payments after the final installment payment under section 17b is made.

Sec. 152b. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed ~~$2,500,000.00 for 2017-2018 and an amount not to exceed $250,000.00~~ **$100.00** for ~~2018-2019~~ **2020-2021** to reimburse actual costs incurred by nonpublic schools in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state.

(2) By January 1 of each applicable fiscal year, the department shall publish a form for reporting actual costs incurred by a nonpublic school in complying with a health, safety, or welfare requirement mandated under state law containing each health, safety, or welfare requirement mandated by a law or administrative rule of this state applicable to a nonpublic school and with a reference to each relevant provision of law or administrative rule for the requirement. The form ~~shall~~ **must** be posted on the department's website in electronic form.

(3) By June 30 of each applicable fiscal year, a nonpublic school seeking reimbursement for actual costs incurred in complying with a health, safety, or welfare requirement under a law or administrative rule of this state during each applicable school year shall submit a completed form described in subsection (2) to the department. This section does not require a nonpublic school to submit a form described in subsection (2). A nonpublic school is not eligible for reimbursement under this section if the nonpublic school does not submit the form described in subsection (2) in a timely manner.

(4) By August 15 of each applicable fiscal year, the department shall distribute funds to each nonpublic school that submits a completed form described under subsection (2) in a timely manner. The superintendent shall determine the amount of funds to be paid to each nonpublic school in an amount that does not exceed the nonpublic school's actual costs in complying with a health, safety, or welfare requirement under a law or administrative rule of this state. The superintendent shall calculate a nonpublic school's actual cost in accordance with this section.

(5) If the funds allocated under this section are insufficient to fully fund payments as otherwise calculated under this section, the department shall distribute funds under this section on a prorated or other equitable basis as determined by the superintendent.

(6) The department may review the records of a nonpublic school submitting a form described in subsection (2) only for the limited purpose of verifying the nonpublic school's compliance with this section. If a nonpublic school does not allow the department to review records under this subsection, the nonpublic school is not eligible for reimbursement under this section.

(7) The funds appropriated under this section are for purposes related to education, are considered to be incidental to the operation of a nonpublic school, are noninstructional in character, and are intended for the public purpose of ensuring the health, safety, and welfare of the children in nonpublic schools and to reimburse nonpublic schools for costs described in this section.

(8) Funds allocated under this section are not intended to aid or maintain any nonpublic school, support the attendance of any student at a nonpublic school, employ any person at a nonpublic school, support the attendance of any student at any location where instruction is offered to a nonpublic school student, or support the employment of any person at any location where instruction is offered to a nonpublic school student.

(9) For purposes of this section, "actual cost" means the hourly wage for the employee or employees performing a task or tasks required to comply with a health, safety, or welfare requirement under a law or administrative rule of this state identified by the department under subsection (2) and is to be calculated in accordance with the form published by the department under subsection (2), which ~~shall~~ **must** include a detailed itemization of costs. The nonpublic school shall not charge more than the hourly wage of its lowest-paid employee capable of performing a specific task regardless of whether that individual is available and regardless of who actually performs a specific task. Labor costs under this subsection ~~shall~~ **must** be estimated and charged in increments of 15 minutes or more, with all partial time increments rounded down. When calculating costs under subsection (4), fee components ~~shall~~ **must** be itemized in a manner that expresses both the hourly wage and the number of hours charged. The nonpublic school may not charge any applicable labor charge amount to cover or partially cover the cost of health or fringe benefits. A nonpublic school shall not charge any overtime wages in the calculation of labor costs.

(10) For the purposes of this section, the actual cost incurred by a nonpublic school for taking daily student attendance ~~shall be~~ **is** considered an actual cost in complying with a health, safety, or welfare requirement under a law or administrative rule of this state. Training fees, inspection fees, and criminal background check fees are considered actual costs in complying with a health, safety, or welfare requirement under a law or administrative rule of this state.

(11) The funds allocated under this section for 2017-2018 are a work project appropriation, and any unexpended funds for 2017-2018 are carried forward into 2018-2019. The purpose of the work project is to continue to reimburse nonpublic schools for actual costs incurred in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state. The estimated completion date of the work project is September 30, ~~2020.~~**2022.**

(12) The funds allocated under this section for 2018-2019 are a work project appropriation, and any unexpended funds for 2018-2019 are carried forward into 2019-2020. The purpose of the work project is to continue to reimburse nonpublic schools for actual costs incurred in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state. The estimated completion date of the work project is September 30, ~~2020.~~**2022.**

(13) The funds allocated under this section for 2020-2021 are a work project appropriation, and any unexpended funds for 2020-2021 are carried forward into 2021-2022. The purpose of the work project is to continue to reimburse nonpublic schools for actual costs incurred in complying with a health, safety, or welfare requirement mandated by a law or administrative rule of this state. The estimated completion date of the work project is September 30, 2023.

Sec. 163. (1) Except as provided in the revised school code, the board of a district or intermediate district shall not permit any of the following:

(a) ~~Except for an individual engaged to teach under section 1233b of the revised school code, MCL 380.1233b, an~~ **An** individual who ~~does not hold~~ **is not appropriately placed under** a valid certificate**,** ~~or who is not working under a~~ valid substitute permit, authorization, or approval issued under rules promulgated by the department to teach in an elementary or secondary school.

(b) An individual who does not satisfy the requirements of section 1233 of the revised school code, MCL 380.1233, and rules promulgated by the department to provide school counselor services to pupils in an elementary or secondary school.

(c) An individual who does not satisfy the requirements of section 1246 of the revised school code, MCL 380.1246, or who is not working under a valid substitute permit issued under rules promulgated by the department, to be employed as a superintendent, principal, or assistant principal, or as an individual whose primary responsibility is to administer instructional programs in an elementary or secondary school, or in a district or intermediate district.

(2) Except as provided in the revised school code, a district or intermediate district employing individuals in violation of this section shall have deducted the sum equal to the amount paid the individuals for the period of employment. Each intermediate superintendent shall notify the department of the name of the individual employed in violation of this section, and the district employing that individual and the amount of salary the individual was paid within a constituent district.

(3) If a school official is notified by the department that he or she is employing an individual in violation of this section and knowingly continues to employ that individual, the school official is guilty of a misdemeanor punishable by a fine of $1,500.00 for each incidence. This penalty is in addition to all other financial penalties otherwise specified in this article.

Sec. 201. (1) Subject to the conditions set forth in this article, the amounts listed in this section are appropriated for community colleges for the fiscal year ending September 30, ~~2020,~~ **2021,** from the funds indicated in this section. The following is a summary of the appropriations in this section**:** ~~and section 201c:~~

(a) The gross appropriation is ~~$414,719,000.00.~~ **$425,667,600.00.** After deducting total interdepartmental grants and intradepartmental transfers in the amount of $0.00, the adjusted gross appropriation is ~~$414,719,000.00.~~**$425,667,600.00.**

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(*i*) Total federal revenues, ~~$36,273,400.00.~~**$0.00.**

(*ii*) Total local revenues, $0.00.

(*iii*) Total private revenues, $0.00.

(*iv*) Total other state restricted revenues, ~~$378,445,600.00.~~**$425,667,600.00.**

(*v*) State general fund/general purpose money, $0.00.

(2) Subject to subsection (3), the amount appropriated for community college operations is ~~$289,200,000.00,~~ **$325,440,000.00,** allocated as follows:

(a) The appropriation for Alpena Community College is ~~$5,127,800.00, $5,058,300.00~~ **$5,767,500.00, $5,753,300.00** for operations, ~~$50,200.00~~ **$0.00** for performance funding, and ~~$19,300.00~~ **$14,200.00** for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Bay de Noc Community College is ~~$5,112,800.00, $4,926,700.00~~ **$5,719,500.00, $5,602,800.00** for operations, ~~$48,200.00~~ **$0.00** for performance funding, and ~~$137,900.00~~ **$116,700.00** for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Delta College is ~~$13,502,300.00, $13,371,000.00~~ **$15,208,200.00, $15,160,500.00** for operations, ~~$90,400.00~~ **$0.00** for performance funding, and ~~$40,900.00~~ **$47,700.00** for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Glen Oaks Community College is ~~$2,355,300.00, $2,323,300.00~~ **$2,651,200.00, $2,651,200.00** for operations, ~~$30,800.00~~ **$0.00** for performance funding, and ~~$1,200.00~~ **$0.00** for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Gogebic Community College is ~~$4,387,500.00, $4,287,700.00~~ **$4,923,300.00, $4,873,700.00** for operations, ~~$39,900.00~~ **$0.00** for performance funding, and ~~$59,900.00~~ **$49,600.00** for costs incurred under the North American Indian tuition waiver.

(f) The appropriation for Grand Rapids Community College is ~~$16,909,400.00, $16,540,900.00~~ **$19,007,000.00, $18,773,100.00** for operations, ~~$128,200.00~~ **$0.00** for performance funding, and ~~$240,300.00~~ **$233,900.00** for costs incurred under the North American Indian tuition waiver.

(g) The appropriation for Henry Ford College is ~~$20,049,300.00, $19,873,500.00~~ **$22,557,600.00, $22,533,100.00** for operations, ~~$134,200.00~~ **$0.00** for performance funding, and ~~$41,600.00~~ **$24,500.00** for costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Jackson College is ~~$11,373,300.00, $11,258,700.00~~ **$12,814,200.00, $12,756,200.00** for operations, ~~$67,900.00~~ **$0.00** for performance funding, and ~~$46,700.00~~ **$58,000.00** for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Kalamazoo Valley Community College is ~~$11,687,700.00, $11,551,400.00~~ **$13,163,700.00, $13,099,900.00** for operations, ~~$80,300.00~~ **$0.00** for performance funding, and ~~$56,000.00~~ **$63,800.00** for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Kellogg Community College is ~~$9,195,800.00, $9,056,400.00~~ **$10,328,700.00, $10,267,100.00** for operations, ~~$60,000.00~~ **$0.00** for performance funding, and ~~$79,400.00~~ **$61,600.00** for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for Kirtland Community College is ~~$3,016,600.00, $2,940,500.00~~ **$3,394,800.00, $3,358,400.00** for operations, ~~$41,500.00~~ **$0.00** for performance funding, and ~~$34,600.00~~ **$36,400.00** for costs incurred under the North American Indian tuition waiver.

(*l*) The appropriation for Lake Michigan College is ~~$5,074,900.00, $5,028,600.00~~ **$5,711,300.00, $5,702,700.00** for operations, ~~$35,000.00~~ **$0.00** for performance funding, and ~~$11,300.00~~ **$8,600.00** for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for Lansing Community College is ~~$29,324,000.00, $28,992,800.00~~ **$33,010,000.00, $32,852,000.00** for operations, ~~$177,300.00~~ **$0.00** for performance funding, and ~~$153,900.00~~ **$158,000.00** for costs incurred under the North American Indian tuition waiver.

(n) The appropriation for Macomb Community College is ~~$30,470,600.00, $30,227,700.00~~ **$34,319,500.00, $34,276,100.00** for operations, ~~$206,900.00~~ **$0.00** for performance funding, and ~~$36,000.00~~ **$43,400.00** for costs incurred under the North American Indian tuition waiver.

(o) The appropriation for Mid Michigan Community College is ~~$4,743,500.00, $4,528,800.00~~ **$5,309,200.00, $5,184,400.00** for operations, ~~$74,600.00~~ **$0.00** for performance funding, and ~~$140,100.00~~ **$124,800.00** for costs incurred under the North American Indian tuition waiver.

(p) The appropriation for Monroe County Community College is ~~$4,215,200.00, $4,179,000.00~~ **$4,746,700.00, $4,746,200.00** for operations, ~~$35,300.00~~ **$0.00** for performance funding, and ~~$900.00~~ **$500.00** for costs incurred under the North American Indian tuition waiver.

(q) The appropriation for Montcalm Community College is ~~$3,176,100.00, $3,144,500.00~~ **$3,577,700.00, $3,570,600.00** for operations, ~~$25,900.00~~ **$0.00** for performance funding, and ~~$5,700.00~~ **$7,100.00** for costs incurred under the North American Indian tuition waiver.

(r) The appropriation for C.S. Mott Community College is ~~$14,610,900.00, $14,496,100.00~~ **$16,464,000.00, $16,440,000.00** for operations, ~~$101,400.00~~ **$0.00** for performance funding, and ~~$13,400.00~~ **$24,000.00** for costs incurred under the North American Indian tuition waiver.

(s) The appropriation for Muskegon Community College is ~~$8,325,300.00, $8,195,900.00~~ **$9,363,000.00, $9,289,100.00** for operations, ~~$52,100.00~~ **$0.00** for performance funding, and ~~$77,300.00~~ **$73,900.00** for costs incurred under the North American Indian tuition waiver.

(t) The appropriation for North Central Michigan College is ~~$3,187,300.00, $2,981,700.00~~ **$3,562,700.00, $3,389,300.00** for operations, ~~$27,700.00~~ **$0.00** for performance funding, and ~~$177,900.00~~ **$173,400.00** for costs incurred under the North American Indian tuition waiver.

(u) The appropriation for Northwestern Michigan College is ~~$8,741,600.00, $8,438,400.00~~ **$9,843,100.00, $9,567,100.00** for operations, ~~$56,500.00~~ **$0.00** for performance funding, and ~~$246,700.00~~ **$276,000.00** for costs incurred under the North American Indian tuition waiver.

(v) The appropriation for Oakland Community College is ~~$19,746,000.00, $19,563,700.00~~ **$22,246,800.00, $22,211,700.00** for operations, ~~$158,600.00~~ **$0.00** for performance funding, and ~~$23,700.00~~ **$35,100.00** for costs incurred under the North American Indian tuition waiver.

(w) The appropriation for Schoolcraft College is ~~$11,784,200.00, $11,614,500.00~~ **$13,236,500.00, $13,196,200.00** for operations, ~~$102,700.00~~ **$0.00** for performance funding, and ~~$67,000.00~~ **$40,300.00** for costs incurred under the North American Indian tuition waiver.

(x) The appropriation for Southwestern Michigan College is ~~$6,236,900.00, $6,155,700.00~~ **$7,016,600.00, $6,979,400.00** for operations, ~~$41,500.00~~ **$0.00** for performance funding, and ~~$39,700.00~~ **$37,200.00** for costs incurred under the North American Indian tuition waiver.

(y) The appropriation for St. Clair County Community College is ~~$6,566,000.00, $6,508,200.00~~ **$7,388,600.00, $7,385,200.00** for operations, ~~$49,300.00~~ **$0.00** for performance funding, and ~~$8,500.00~~ **$3,400.00** for costs incurred under the North American Indian tuition waiver.

(z) The appropriation for Washtenaw Community College is ~~$12,334,000.00, $12,191,500.00~~ **$13,888,200.00, $13,855,900.00** for operations, ~~$111,500.00~~ **$0.00** for performance funding, and ~~$31,000.00~~ **$32,300.00** for costs incurred under the North American Indian tuition waiver.

(aa) The appropriation for Wayne County Community College is ~~$15,630,100.00, $15,502,900.00~~ **$17,608,300.00, $17,593,400.00** for operations, ~~$118,700.00~~ **$0.00** for performance funding, and ~~$8,500.00~~ **$14,900.00** for costs incurred under the North American Indian tuition waiver.

(bb) The appropriation for West Shore Community College is ~~$2,315,600.00, $2,278,500.00~~ **$2,612,100.00, $2,585,600.00** for operations, ~~$17,300.00~~ **$0.00** for performance funding, and ~~$19,800.00~~ **$26,500.00** for costs incurred under the North American Indian tuition waiver.

(3) The amount appropriated in subsection (2) for community college operations is ~~$289,200,000.00~~ **$325,440,000.00** and is appropriated from the state school aid fund.

(4) From the appropriations described in subsection (1), both of the following apply:

(a) Subject to section 207a, the amount appropriated for fiscal year ~~2019-2020~~ **2020-2021** to offset certain fiscal year ~~2019-2020~~ **2020-2021** retirement contributions is $1,733,600.00, appropriated from the state school aid fund.

(b) For fiscal year ~~2019-2020,~~ **2020-2021,** there is allocated an amount not to exceed ~~$12,212,000.00~~ **$12,394,000.00** for payments to participating community colleges, appropriated from the state school aid fund. A community college that receives money under this subdivision shall use that money solely for the purpose of offsetting the normal cost contribution rate.

(5) From the appropriations described in subsection (1), subject to section 207b, the amount appropriated for payments to community colleges that are participating entities of the retirement system is ~~$73,100,000.00,~~ **$83,900,000.00** appropriated from the state school aid fund.

(6) From the appropriations described in subsection (1), subject to section 207c, the amount appropriated for renaissance zone tax reimbursements is $2,200,000.00, appropriated from the state school aid fund. **Each community college receiving funds in this subsection shall accrue these payments to its institutional fiscal year ending June 30, 2021.**

~~(7) If the department of technology, management, and budget determines that this state has overpaid the amount of operations and performance funding allocated to a community college under this article, the department shall establish as a receivable the amount of overpayment and shall recoup the amount from the community college in subsequent monthly apportionments of operations and performance funding. The full amount of overpayment must be recouped within 1 fiscal year.~~

Sec. 202a. As used in this article:

(a) "Center" means the center for educational performance and information created in section 94a.

(b) "Michigan renaissance zone act" means the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

(c) "Participating college" means a community college that is a reporting unit of the retirement system and that reports employees to the retirement system for the state fiscal year.

(d) "Retirement board" means the board that administers the retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(e) "Retirement system" means the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

~~(f) "Workforce development agency" means the workforce development agency within the department of talent and economic development—talent investment agency.~~

Sec. 203. Unless otherwise specified, a community college that receives appropriations in section 201 ~~, the workforce development agency,~~ and the center shall use the internet to fulfill the reporting requirements of this article. This requirement ~~may include~~ **includes** transmission of reports via electronic mail to the recipients identified for each reporting requirement ~~or it may include~~ **and** placement of reports on an internet ~~or intranet~~ site.

Sec. 205. ~~The~~ **To the extent possible, the** principal executive officer of each community college that receives appropriations in section 201 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each principal executive officer shall strongly encourage businesses with which the community college contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 206. (1) The funds appropriated in section 201 are appropriated for community colleges with fiscal years ending June 30, ~~2020~~ **2021** and shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges in 11 monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, ~~2019.~~ **2020.** Each community college shall accrue its July and August ~~2020~~ **2021** payments to its institutional fiscal year ending June 30, ~~2020.~~**2021.**

(2) If the state budget director determines that a community college failed to submit any of the information described in subdivisions (a) to (f) in the form and manner specified by the center, the state treasurer shall, subject to subdivision (g), withhold the monthly installments from that community college until those data are submitted:

(a) The Michigan community colleges verified data inventory data for the preceding academic year to the center by the first business day of ~~November~~ **December for fiscal year 2020-2021 and the first business day of November** of each year **thereafter** as specified in section 217.

(b) The college credit opportunity data set as specified in section 209.

(c) The longitudinal data set for the preceding academic year to the center as specified in section 219.

(d) The annual independent audit as specified in section 222.

(e) Tuition and mandatory fees information for the current academic year as specified in section 225.

(f) The number and type of associate degrees and other certificates awarded during the previous academic year as specified in section 226.

(g) The state budget director shall notify the chairs of the house and senate appropriations subcommittees on community colleges at least 10 days before withholding funds from any community college.

Sec. 207a. All of the following apply to the allocation of the fiscal year ~~2019-2020~~ **2020-2021** appropriations described in section 201(4):

(a) A community college that receives money under section 201(4) shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the college for that fiscal year.

(b) The amount allocated to each participating community college under section 201(4) shall be based on each college's percentage of the total covered payroll for all community colleges that are participating colleges in the immediately preceding fiscal year.

Sec. 207b. All of the following apply to the allocation of the fiscal year ~~2019-2020~~ **2020-2021** appropriations described in section 201(5) for payments to community colleges that are participating entities of the retirement system:

(a) The amount of a payment under section 201(5) shall be the difference between the unfunded actuarial accrued liability contribution rate as calculated under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, as calculated without taking into account the maximum employer rate of 20.96% included in section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum employer rate of 20.96% under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341.

(b) The amount allocated to each community college under section 201(5) shall be based on each community college's percentage of the total covered payroll for all community colleges that are participating colleges in the immediately preceding fiscal year. A community college that receives funds under this subdivision shall use the funds solely for the purpose of retirement contributions under section 201(5).

(c) Each participating college that receives funds under section 201(5) shall forward an amount equal to the amount allocated under subdivision (b) to the retirement system in a form and manner determined by the retirement system.

Sec. 207c. All of the following apply to the allocation of the appropriations described in section 201(6) to community colleges described in section 12(3) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692:

(a) The amount allocated to each community college under section 201(6) for fiscal year ~~2019-2020~~ **2020-2021** shall be based on that community college's proportion of total revenue lost by community colleges as a result of the exemption of property taxes levied in ~~2019~~ **2020** under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

(b) The appropriations described in section 201(6) shall be made to each eligible community college within 60 days after the department of treasury certifies to the state budget director that it has received all necessary information to properly determine the amounts payable to each eligible community college under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

Sec. 209. (1) Within 30 days after the board of a community college adopts its annual operating budget for the following fiscal year, or after the board adopts a subsequent revision to that budget, the community college shall make all of the following available through a link on its website homepage:

(a) The annual operating budget and subsequent budget revisions.

(b) A link to the most recent "Michigan Community College Data Inventory Report".

(c) General fund revenue and expenditure projections for the current fiscal year and the next fiscal year.

(d) A listing of all debt service obligations, detailed by project, anticipated payment of each project, and total outstanding debt for the current fiscal year.

(e) Links to all of the following for the community college:

(*i*) The current collective bargaining agreement for each bargaining unit.

(*ii*) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee of the community college.

(*iii*) Audits and financial reports for the most recent fiscal year for which they are available.

(*iv*) A copy of the board of trustees resolution regarding compliance with best practices for the local strategic value component described in section 230(2).

(f) A map that includes the boundaries of the community college district.

(2) For statewide consistency and public visibility, community colleges must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each community college's homepage. The size of the icon may be reduced to 150 x 150 pixels.

(3) The state budget director shall determine whether a community college has complied with this section. The state budget director may withhold a community college's monthly installments described in section 206 until the community college complies with this section. The state budget director shall notify the chairs of the house and senate appropriations subcommittee on community colleges at least 10 days before withholding funds from any community college.

(4) Each community college shall report the following information to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget office by ~~November~~ **December** 15 **for fiscal year 2020-2021 and November 15** of each fiscal year **thereafter** and post that information on its website as required under subsection (1):

(a) Budgeted current fiscal year general fund revenue from tuition and fees.

(b) Budgeted current fiscal year general fund revenue from state appropriations.

(c) Budgeted current fiscal year general fund revenue from property taxes.

(d) Budgeted current fiscal year total general fund revenue.

(e) Budgeted current fiscal year total general fund expenditures.

(5) By the first business day of November of each year, a community college shall ~~report the following information to the center and~~ post the **following** information on its website under the budget transparency icon badge:

(a) Opportunities for earning college credit through the following programs:

(*i*) State approved career and technical education or a tech prep articulated program of study.

(*ii*) Direct college credit or concurrent enrollment.

(*iii*) Dual enrollment.

(*iv*) An early college/middle college program.

(b) For each program described in subdivision (a) that the community college offers, all of the following information:

(*i*) The number of high school students participating in the program.

(*ii*) The number of school districts that participate in the program with the community college.

(*iii*) Whether a college professor, qualified local school district employee, or other individual teaches the course or courses in the program.

(*iv*) The total cost to the community college to operate the program.

(*v*) The cost per credit hour for the course or courses in the program.

(*vi*) The location where the course or courses in the program are held.

(*vii*) Instructional resources offered to the program instructors.

(*viii*) Resources offered to the student in the program.

(*ix*) Transportation services provided to students in the program.

Sec. 209a. (1) A public community college shall develop, maintain, and update a "campus safety information and resources" link, prominently displayed on the homepage of its website, to a section of its website containing all of the information required under subsection (2).

(2) The "campus safety information and resources" section of a public community college's website shall include, but not be limited to, all of the following information:

(a) Emergency contact numbers for police, fire, health, and other services.

(b) Hours, locations, phone numbers, and electronic mail contacts for campus public safety offices and title IX offices.

(c) A list of safety and security services provided by the community college, including transportation, escort services, building surveillance, anonymous tip lines, and other available security services.

(d) A public community college's policies applicable to minors on community college property.

(e) A directory of resources available at the community college or surrounding community for students or employees who are survivors of sexual assault or sexual abuse.

(f) An electronic copy of "A Resource Handbook for Campus Sexual Assault Survivors, Friends and Family", published in 2018**.** ~~by the office of the governor in conjunction with the first lady of Michigan.~~

(g) Campus security policies and crime statistics pursuant to the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381. Information shall include all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381.

(3) A community college shall certify to the state budget director by October 1, ~~2019 and the last business day of each August thereafter,~~ **2020** that it is in compliance with this section. The state budget director may withhold a public community college's monthly installments described in section 206 until the public community college complies with this section.

Sec. 217. (1) The center shall do all of the following:

(a) Establish, maintain, and coordinate the state community college database commonly known as the "Michigan Community College Data Inventory".

(b) Collect data concerning community colleges and community college programs in this state, including data required by law.

(c) Establish procedures to ensure the validity and reliability of the data and the collection process.

(d) Develop model data collection policies, including, but not limited to, policies that ensure the privacy of any individual student data. Privacy policies shall ensure that student ~~social security~~ **Social Security** numbers are not released to the public for any purpose.

(e) Provide data in a useful manner to allow state policymakers and community college officials to make informed policy decisions.

(f) Compile and publish electronically the demographic enrollment profile.

(g) Compile and publish the community college performance improvement and performance completion rate data to support the performance funding formula metrics specified in section 230(1)(c) and (e).

(2) There is created within the center the Michigan Community College Data Inventory advisory committee. The committee shall provide advice to the director of the center regarding the management of the state community college database, including, but not limited to:

(a) Determining what data are necessary to collect and maintain to enable state and community college officials to make informed policy decisions.

(b) Defining the roles of all stakeholders in the data collection system.

(c) Recommending timelines for the implementation and ongoing collection of data.

(d) Establishing and maintaining data definitions, data transmission protocols, and system specifications and procedures for the efficient and accurate transmission and collection of data.

(e) Establishing and maintaining a process for ensuring the accuracy of the data.

(f) Establishing and maintaining policies related to data collection, including, but not limited to, privacy policies related to individual student data.

(g) Ensuring that the data are made available to state policymakers and citizens of this state in the most useful format possible.

(h) Addressing other matters as determined by the director of the center or as required by law.

(3) The Michigan Community College Data Inventory advisory committee created in subsection (2) shall consist of the following members:

(a) One representative from the house fiscal agency, appointed by the director of the house fiscal agency.

(b) One representative from the senate fiscal agency, appointed by the director of the senate fiscal agency.

(c) One representative from the ~~workforce development agency,~~ **department of labor and economic opportunity,** appointed by the director of the ~~workforce development agency.~~**department of labor and economic opportunity.**

(d) One representative from the center, appointed by the director of the center.

(e) One representative from the state budget office, appointed by the state budget director.

(f) One representative from the governor's policy office, appointed by that office.

(g) Four representatives of the Michigan Community College Association, appointed by the president of the association, that represent a diverse mix of college sizes.

Sec. 222. Each community college shall have an annual audit of all income and expenditures performed by an independent auditor and shall furnish the independent auditor's management letter and an annual audited accounting of all general and current funds income and expenditures including audits of college foundations to the center before ~~November~~ **December** 15 **for fiscal year 2020-2021 and November 15** of each year **thereafter**. The center shall provide this information to members of the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, the auditor general, the ~~workforce development agency,~~ **department of labor and economic opportunity,** and the state budget director. If a community college fails to furnish the audit materials, the monthly state aid installments shall be withheld from that college until the information is submitted. All reporting shall conform to the requirements set forth in the "2001 Manual for Uniform Financial Reporting, Michigan Public Community Colleges". A community college shall make the information the community college is required to provide under this section available to the public on its website.

Sec. 223. (1) By ~~February~~ **January** 15 of each year, the department of civil rights shall annually submit to the state budget director, the house and senate appropriations subcommittees on community colleges, and the house and senate fiscal agencies a report on North American Indian tuition waivers for the preceding academic year that includes, but is not limited to, all of the following information:

(a) The number of waiver applications received and the number of waiver applications approved.

(b) For each community college submitting information under subsection (2), all of the following:

(*i*) The number of North American Indian students enrolled each term for the previous academic year.

(*ii*) The number of North American Indian waivers granted each term, including continuing education students, and the monetary value of the waivers for the previous academic year.

(*iii*) The number of students attending under a North American Indian tuition waiver who withdrew from the college each term during the previous academic year. For purposes of this subparagraph, a withdrawal occurs when a student who has been awarded the waiver withdraws from the institution at any point during the term, regardless of enrollment in subsequent terms.

(*iv*) The number of students attending under a North American Indian tuition waiver who successfully complete a degree or certificate program, separated by degree or certificate level, and the graduation rate for students attending under a North American Indian tuition waiver who complete a degree or certificate within 150% of the normal time to complete, separated by the level of the degree or certificate.

(2) A community college that receives funds under section 201 **or a tribal institution that receives funding for the North American Indian tuition waiver** shall provide to the department of civil rights any information necessary for preparing the report described in subsection (1), using guidelines and procedures developed by the department of civil rights.

(3) The department of civil rights may consolidate the report required under this section with the report required under section 268, but a consolidated report must separately identify data for universities and data for community colleges.

Sec. 226. Each community college shall report to the center by October 15 of each year the numbers and type of associate degrees and other certificates awarded by the community college during the previous academic year ~~using the~~ **for inclusion in the statewide** P-20 longitudinal data system.

Sec. 226a. A community college receiving an appropriation in section 201 shall place a prominent link to the website created under section 260 on its website homepage.

Sec. 226b. (1) By September 30, 2021, each community college receiving an appropriation in section 201 shall submit a report to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director containing the following information:

(a) The number of students enrolled during the 2020-2021 academic year.

(b) The number of courses offered by course type.

(c) The number of students enrolled by course type.

(d) The drop rate and pass/fail rate by course type.

(e) The average number of credit hours for which each student was enrolled at the start and end of each semester.

(f) The number of students residing on campus each semester.

(g) The number of students residing on campus between semesters.

(2) By November 1, 2020, each community college receiving an appropriation in section 201 shall submit a report to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director containing the following information:

(a) A list of any student fees assessed related to online learning, and the amount of those fees.

(b) A list of any student fees assessed related to COVID-19, and the amount of those fees.

(c) A timeline of when decisions regarding the course types offered during the 2020-2021 academic year were made, and whether there were changes to those decisions before the academic year began.

(d) An overview of COVID-19 mitigation strategies employed or that may be employed, if necessary.

(e) An overview of COVID-19 testing criteria and mitigation strategies employed for controlling an outbreak on campus.

(3) As used in this section, "course type" means the style of course delivery as being in-person, online, or as a hybrid of in-person and online learning.

Sec. 226d. By February 1, 2021, each community college shall submit to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director a report on activities related to strategic planning and internal assessment or reassessment to best provide for open and free expression and speech, while protecting students from hate-speech, violence, and discrimination.

Sec. 226e. It is the intent of the legislature to ensure that 60% of Michigan's residents achieve a postsecondary credential, high-quality industry certification, associate degree, or bachelor's degree by 2030.

Sec. 229. (1) Each community college that receives an appropriation in section 201 is expected to include in its admission application process a specific question as to whether an applicant for admission has ever

served or is currently serving in the United States Armed Forces or is the spouse or dependent of an individual who has served or is currently serving in the United States Armed Forces, in order to more quickly identify potential educational assistance available to that applicant.

(2) It is expected that each public community college that receives an appropriation in section 201 shall work with the house and senate community college subcommittees, the Michigan Community College Association, and veterans groups to review the issue of in-district tuition for veterans of this state when determining tuition rates and fees.

(3) Each community college that receives an appropriation in section 201 is expected to provide reasonable programming and scheduling accommodations necessary to facilitate a student's military, national guard, or military reserves duties and training obligations.

(4) ~~(3)~~ As used in this section, "veteran" means an honorably discharged veteran entitled to educational assistance under the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, 38 USC 3301 to 3327.

Sec. 229a. Included in the fiscal year ~~2019-2020~~ **2020-2021** appropriations for the department of technology, management, and budget are appropriations totaling ~~$34,181,600.00~~ **$35,696,200.00** to provide funding for the state share of costs for previously constructed capital projects for community colleges. Those appropriations for state building authority rent represent additional state general fund support for community colleges, and the following is an estimate of the amount of that support to each community college:

(a) Alpena Community College, ~~$702,500.00.~~**$701,800.00.**

(b) Bay de Noc Community College, ~~$679,000.00.~~**$686,600.00.**

(c) Delta College, ~~$3,905,300.00.~~**$3,845,000.00.**

(d) Glen Oaks Community College, ~~$123,400.00.~~**$124,700.00.**

(e) Gogebic Community College, ~~$56,200.00.~~**$56,800.00.**

(f) Grand Rapids Community College, ~~$2,208,700.00.~~**$2,604,800.00.**

(g) Henry Ford College, ~~$1,031,000.00.~~**$1,042,600.00.**

(h) Jackson College, ~~$2,170,400.00.~~**$2,194,800.00.**

(i) Kalamazoo Valley Community College, ~~$1,947,700.00.~~**$1,969,600.00.**

(j) Kellogg Community College, ~~$715,300.00.~~**$688,600.00.**

(k) Kirtland Community College, ~~$639,100.00.~~**$228,200.00.**

(*l*) Lake Michigan College, ~~$532,300.00.~~**$1,032,500.00.**

(m) Lansing Community College, ~~$1,144,300.00.~~**$1,157,200.00.**

(n) Macomb Community College, ~~$1,653,900.00.~~**$1,672,400.00.**

(o) Mid Michigan Community College, ~~$1,619,700.00.~~**$1,637,900.00.**

(p) Monroe County Community College, ~~$1,604,900.00.~~**$1,585,200.00.**

(q) Montcalm Community College, ~~$973,900.00.~~**$984,800.00.**

(r) C.S. Mott Community College, ~~$1,808,300.00.~~**$2,157,600.00.**

(s) Muskegon Community College, ~~$1,076,800.00.~~**$996,000.00.**

(t) North Central Michigan College, ~~$490,900.00.~~**$694,700.00.**

(u) Northwestern Michigan College, ~~$1,471,300.00.~~**$1,857,000.00.**

(v) Oakland Community College, ~~$466,400.00.~~**$471,600.00.**

(w) Schoolcraft College, ~~$1,550,600.00.~~**$1,770,800.00.**

(x) Southwestern Michigan College, ~~$890,100.00.~~**$834,200.00.**

(y) St. Clair County Community College, ~~$799,300.00.~~**$758,600.00.**

(z) Washtenaw Community College, ~~$1,680,900.00.~~**$1,699,800.00.**

(aa) Wayne County Community College, ~~$1,466,300.00.~~**$1,482,800.00.**

(bb) West Shore Community College, ~~$773,100.00.~~**$759,600.00.**

Sec. 230. (1) ~~Money~~ **With the exception of fiscal year 2020-2021, money** included in the appropriations for community college operations under section 201(2) ~~in fiscal year 2019-2020~~ for performance funding is distributed based on the following formula:

(a) Allocated proportionate to fiscal year 2018-2019 base appropriations, 30%.

(b) Based on a weighted student contact hour formula as provided for in the 2016 recommendations of the performance indicators task force, ~~25%.~~**30%.**

(c) Based on the performance improvement as provided for in the 2016 recommendations of the performance indicators task force and based on data provided by the center, 10%.

(d) Based on the performance completion number as provided for in the 2016 recommendations of the performance indicators task force, 10%.

(e) Based on the performance completion rate as provided for in the 2016 recommendations of the performance indicators task force and based on data provided by the center, 10%.

(f) Based on administrative costs, 5%.

(g) Based on the local strategic value component, as developed in cooperation with the Michigan Community College Association and described in subsection (2), 5%.

~~(h) Based on the 6 community colleges with the lowest taxable values in the 2017-2018 Michigan community college data inventory report, weighted by fiscal year equated students, 5%.~~

(2) Money included in the appropriations for community college operations under section 201(2) for local strategic value shall be allocated to each community college that certifies to the state budget director, through a board of trustees resolution on or before October 15, ~~2019,~~ **2020,** that the college has met 4 out of 5 best practices listed in each category described in subsection (3). The resolution shall provide specifics as to how the community college meets each best practice measure within each category. One-third of funding available under the strategic value component shall be allocated to each category described in subsection (3). Amounts distributed under local strategic value shall be on a proportionate basis to each college's fiscal year ~~2018-2019~~ **2019-2020** operations funding. Payments to community colleges that qualify for local strategic value funding shall be distributed with the November installment payment described in section 206.

(3) For purposes of subsection (2), the following categories of best practices reflect functional activities of community colleges that have strategic value to the local communities and regional economies:

(a) For Category A, economic development and business or industry partnerships, the following:

(*i*) The community college has active partnerships with local employers including hospitals and health care providers.

(*ii*) The community college provides customized on-site training for area companies, employees, or both.

(*iii*) The community college supports entrepreneurship through a small business assistance center or other training or consulting activities targeted toward small businesses.

(*iv*) The community college supports technological advancement through industry partnerships, incubation activities, or operation of a Michigan technical education center or other advanced technology center.

(*v*) The community college has active partnerships with local or regional workforce and economic development agencies.

(b) For Category B, educational partnerships, the following:

(*i*) The community college has active partnerships with regional high schools, intermediate school districts, and career-tech centers to provide instruction through dual enrollment, concurrent enrollment, direct credit, middle college, or academy programs.

(*ii*) The community college hosts, sponsors, or participates in enrichment programs for area K-12 students, such as college days, summer or after-school programming, or Science Olympiad.

(*iii*) The community college provides, supports, or participates in programming to promote successful transitions to college for traditional age students, including grant programs such as talent search, upward bound, or other activities to promote college readiness in area high schools and community centers.

(*iv*) The community college provides, supports, or participates in programming to promote successful transitions to college for new or reentering adult students, such as adult basic education, a high school equivalency test preparation program and testing, or recruiting, advising, or orientation activities specific to adults. As used in this subparagraph, "high school equivalency test preparation program" means that term as defined in section 4.

(*v*) The community college has active partnerships with regional 4-year colleges and universities to promote successful transfer, such as articulation, 2+2, or reverse transfer agreements or operation of a university center.

(c) For Category C, community services, the following:

(*i*) The community college provides continuing education programming for leisure, wellness, personal enrichment, or professional development.

(*ii*) The community college operates or sponsors opportunities for community members to engage in activities that promote leisure, wellness, cultural or personal enrichment such as community sports teams, theater or musical ensembles, or artist guilds.

(*iii*) The community college operates public facilities to promote cultural, educational, or personal enrichment for community members, such as libraries, computer labs, performing arts centers, museums, art galleries, or television or radio stations.

(*iv*) The community college operates public facilities to promote leisure or wellness activities for community members, including gymnasiums, athletic fields, tennis courts, fitness centers, hiking or biking trails, or natural areas.

(*v*) The community college promotes, sponsors, or hosts community service activities for students, staff, or community members.

(4) Payments for performance funding under section 201(2) shall be made to a community college only if that community college actively participates in the Michigan Transfer Network sponsored by the Michigan Association of Collegiate Registrars and Admissions Officers and submits timely updates, including updated course equivalencies at least every 6 months, to the Michigan transfer network. The state budget director shall determine if a community college has not satisfied this requirement. The state budget director may withhold payments for performance funding until a community college is in compliance with this section.

Sec. 236. (1) Subject to the conditions set forth in this article, the amounts listed in this section are appropriated for higher education for the fiscal year ending September 30, ~~2020,~~ **2021,** from the funds indicated in this section. The following is a summary of the appropriations in this section**:** ~~and 236g:~~

(a) The gross appropriation is ~~$1,691,395,000.00.~~ **$1,699,925,400.00.** After deducting total interdepartmental grants and intradepartmental transfers in the amount of $0.00, the adjusted gross appropriation is ~~$1,691,395,000.00.~~**$1,699,925,400.00.**

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(*i*) Total federal revenues, ~~$297,753,000.00.~~**$126,026,400.00.**

(*ii*) Total local revenues, $0.00.

(*iii*) Total private revenues, $0.00.

(*iv*) Total other state restricted revenues, ~~$185,692,700.00.~~**$356,063,300.00.**

(*v*) State general fund/general purpose money, ~~$1,207,949,300.00.~~**$1,217,835,700.00.**

(2) Amounts appropriated for public universities are as follows:

(a) The appropriation for Central Michigan University is ~~$79,406,800.00, $77,335,600.00~~ **$89,564,500.00, $87,600,000.00** for operations, ~~$473,100.00~~ **$0.00** for performance funding, and ~~$1,598,100.00~~ **$1,964,500.00** for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Eastern Michigan University is ~~$68,897,800.00, $68,207,300.00~~ **$77,555,200.00, $77,253,700.00** for operations, ~~$388,200.00~~ **$0.00** for performance funding, and ~~$302,300.00~~ **$301,500.00.00** for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Ferris State University is ~~$49,865,900.00, $48,598,300.00~~ **$55,934,300.00, $55,025,500.00** for operations, ~~$260,300.00~~ **$0.00** for performance funding, and ~~$1,007,300.00~~ **$908,800.00.00** for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Grand Valley State University is ~~$65,284,000.00, $63,735,600.00~~ **$73,490,700.00, $72,313,500.00** for operations, ~~$473,400.00~~ **$0.00** for performance funding, and ~~$1,075,000.00~~ **$1,177,200.00** for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Lake Superior State University is ~~$12,858,400.00, $11,853,200.00~~ **$15,252,100.00, $13,307,000.00** for operations, ~~$51,200.00~~ **$0.00** for performance funding, and ~~$954,000.00~~ **$945,100.00** for costs incurred under the North American Indian tuition waiver**, and $1,000,000.00 for a 1-time pass-through payment for Bay Mills Community College**.

(f) The appropriation for Michigan State University is ~~$321,670,300.00, $253,773,700.00~~ **$354,009,100.00, $287,331,700.00** for operations, ~~$1,355,500.00~~ **$0.00** for performance funding, ~~$1,467,700.00~~ **$1,604,000.00** for costs incurred under the North American Indian tuition waiver, $34,937,300.00 for MSU AgBioResearch, and $30,136,100.00 for MSU Extension.

(g) The appropriation for Michigan Technological University is ~~$44,953,000.00, $44,250,000.00~~ **$50,795,200.00, $50,101,600.00** for operations, ~~$236,500.00~~ **$0.00** for performance funding, and ~~$466,500.00~~ **$693,600.00** for costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Northern Michigan University is ~~$43,550,900.00, $42,244,100.00~~ **$48,869,700.00, $47,809,100.00** for operations, ~~$206,800.00~~ **$0.00** for performance funding, and ~~$1,100,000.00~~ **$1,060,600.00** for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Oakland University is ~~$47,476,000.00, $46,811,300.00~~ **$53,413,500.00, $53,147,400.00** for operations, ~~$379,600.00~~ **$0.00** for performance funding, and ~~$285,100.00~~ **$266,100.00** for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Saginaw Valley State University is ~~$27,380,000.00, $27,043,100.00~~ **$30,803,300.00, $30,583,800.00** for operations, ~~$113,000.00~~ **$0.00** for performance funding, and ~~$223,900.00~~ **$219,500.00** for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for University of Michigan – Ann Arbor is ~~$286,689,000.00, $284,363,300.00~~ **$322,931,100.00, $321,970,100.00** for operations, ~~$1,522,200.00~~ **$0.00** for performance funding, and ~~$803,500.00~~ **$961,000.00** for costs incurred under the North American Indian tuition waiver.

(*l*) The appropriation for University of Michigan – Dearborn is ~~$23,394,600.00, $23,074,000.00~~ **$26,334,800.00, $26,167,000.00** for operations, ~~$160,400.00~~ **$0.00** for performance funding, and ~~$160,200.00~~ **$167,800.00** for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for University of Michigan – Flint is ~~$21,246,400.00, $20,860,700.00~~ **$23,964,400.00, $23,616,200.00** for operations, ~~$108,700.00~~ **$0.00** for performance funding, and ~~$277,000.00~~ **$348,200.00** for costs incurred under the North American Indian tuition waiver.

(n) The appropriation for Wayne State University is ~~$180,663,300.00, $179,461,100.00~~ **$203,458,900.00, $202,996,700.00** for operations, ~~$785,000.00~~ **$0.00** for performance funding, and ~~$417,200.00~~ **$462,200.00** for costs incurred under the North American Indian tuition waiver.

(o) The appropriation for Western Michigan University is ~~$99,791,300.00, $98,538,400.00~~ **$112,363,900.00, $111,522,200.00** for operations, ~~$485,000.00~~ **$0.00** for performance funding, and ~~$767,900.00~~ **$841,700.00** for costs incurred under the North American Indian tuition waiver.

(3) The amount appropriated in subsection (2) for public universities is ~~$1,373,127,700.00,~~ **$1,538,740,700.00,** appropriated from the following:

(a) State school aid fund, ~~$179,441,700.00.~~**$343,168,300.00.**

(b) State general fund/general purpose money, ~~$1,193,686,000.00.~~**$1,195,572,400.00.**

(4) The amount appropriated for Michigan public school employees' retirement system reimbursement is ~~$5,017,000.00,~~ **$11,695,000.00,** appropriated from the state school aid fund.

(5) The amount appropriated for state and regional programs is $315,000.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Higher education database modernization and conversion, $200,000.00.

(b) Midwestern Higher Education Compact, $115,000.00.

(6) The amount appropriated for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks program is $2,691,500.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Select student support services, $1,956,100.00.

(b) Michigan college/university partnership program, $586,800.00.

(c) Morris Hood, Jr. educator development program, $148,600.00.

(7) Subject to subsection (8), the amount appropriated for grants and financial aid is $145,283,200.00, allocated as follows:

(a) State competitive scholarships, $29,861,700.00.

(b) Tuition grants, $42,021,500.00.

(c) Tuition incentive program, $68,800,000.00.

(d) Children of veterans and officer's survivor tuition grant programs, $1,400,000.00.

(e) Project GEAR-UP, $3,200,000.00.

(8) The money appropriated in subsection (7) for grants and financial aid is appropriated from the following:

(a) Federal revenues under the United States Department of Education, Office of Elementary and Secondary Education, GEAR-UP program, $3,200,000.00.

(b) Federal revenues under the social security act, temporary assistance for needy families, ~~$130,826,400.00.~~**$122,826,400.00.**

(c) State general fund/general purpose money, ~~$11,256,800.00.~~**$19,256,800.00.**

(9) For fiscal year ~~2019-2020~~ **2020-2021** only, in addition to the allocation under subsection (4), from the appropriations described in subsection (1), there is allocated an amount not to exceed ~~$1,234,000.00~~ **$1,200,000.00** for payments to participating public universities, appropriated from the state school aid fund. A university that receives money under this subsection shall use that money solely for the purpose of offsetting the normal cost contribution rate. As used in this subsection, "participating public universities" means public universities that are a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that pay contributions to the Michigan public school employees' retirement system for the state fiscal year.

~~(10) If the department of technology, management, and budget determines that this state has overpaid the amount of operations and performance funding allocated to a university under this article, the department shall establish as a receivable the amount of overpayment and shall recoup the amount from the university in subsequent monthly apportionments of operations and performance funding. The full amount of overpayment must be recouped within 1 fiscal year.~~

Sec. 236b. In addition to the funds appropriated in section 236, there is appropriated for grants and financial aid in fiscal year ~~2019-2020~~ **2020-2021** an amount not to exceed $6,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, for another purpose under this article.

Sec. 236c. In addition to the funds appropriated for fiscal year ~~2019-2020~~ **2020-2021** in section 236, appropriations to the department of technology, management, and budget in the act providing general appropriations for fiscal year ~~2019-2020~~ **2020-2021** for state building authority rent, totaling an estimated ~~$144,995,300.00~~ **$145,848,500.00** provide funding for the state share of costs for previously constructed capital projects for state universities. These appropriations for state building authority rent represent additional state general fund support provided to public universities, and the following is an estimate of the amount of that support to each university:

(a) Central Michigan University, ~~$12,141,800.00.~~**$13,078,900.00.**

(b) Eastern Michigan University, ~~$7,673,600.00.~~**$7,074,300.00.**

(c) Ferris State University, ~~$8,434,200.00.~~**$7,939,200.00.**

(d) Grand Valley State University, ~~$6,752,400.00.~~**$7,229,800.00.**

(e) Lake Superior State University, ~~$1,856,100.00.~~**$1,805,200.00.**

(f) Michigan State University, ~~$15,514,900.00.~~**$15,199,500.00.**

(g) Michigan Technological University, ~~$6,912,500.00.~~**$6,805,300.00.**

(h) Northern Michigan University, ~~$7,449,600.00.~~**$7,334,200.00.**

(i) Oakland University, ~~$12,908,600.00.~~**$12,708,600.00.**

(j) Saginaw Valley State University, ~~$10,670,900.00.~~**$7,907,100.00.**

(k) University of Michigan - Ann Arbor, ~~$9,795,900.00.~~**$9,644,100.00.**

(*l*) University of Michigan - Dearborn, ~~$9,522,700.00.~~**$11,106,100.00.**

(m) University of Michigan - Flint, ~~$4,128,900.00.~~**$6,413,000.00.**

(n) Wayne State University, ~~$16,008,000.00.~~**$16,610,900.00.**

(o) Western Michigan University, ~~$15,225,200.00.~~**$14,989,300.00.**

Sec. 237b. As used in this article**, :**

~~(a) "Center"~~ **"center"** means the center for educational performance and information created in section 94a.

~~(b) "Workforce development agency" means the workforce development agency within the department of talent and economic development – talent investment agency.~~

Sec. 238. Unless otherwise specified, a public university receiving appropriations in section 236 shall use the internet to fulfill the reporting requirements of this article. This requirement ~~may include~~ **includes** transmission of reports via electronic mail to the recipients identified for each reporting requirement ~~, or it may include~~ **and** placement of reports on an internet ~~or intranet~~ site.

Sec. 241. (1) Subject to sections 244 and 265a, the funds appropriated in section 236 to public universities shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions in 11 equal monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, ~~2019.~~ **2020.** Except for Wayne State University, each institution shall accrue its July and August ~~2020~~ **2021** payments to its institutional fiscal year ending June 30, ~~2020.~~**2021.**

(2) All public universities shall submit higher education institutional data inventory (HEIDI) data and associated financial and program information requested by and in a manner prescribed by the state budget director. For public universities with fiscal years ending June 30, ~~2019,~~ these data shall be submitted to the state budget director by ~~October~~ **November** 15 ~~, 2019.~~ **for fiscal year 2020-2021 and October 15 of each fiscal year thereafter.** Public universities with a fiscal year ending September 30, ~~2019~~ **2020** shall submit preliminary HEIDI data by November 15, ~~2019~~ **2020** and final data by December 15, ~~2019.~~ **2020.** If a public university fails to submit HEIDI data and associated financial aid program information in accordance with this reporting schedule, the state treasurer may withhold the monthly installments under subsection (1) to the public university until those data are submitted.

Sec. 242. Funds received by the state from the federal government or private sources for the use of a college or university are appropriated for the purposes for which they are provided. ~~The acceptance and use of federal or private funds do not place an obligation on the legislature to continue the purposes for which the funds are made available.~~

Sec. 245. (1) A public university shall maintain a public transparency website available through a link on its website homepage. The public university shall update this website within 30 days after the university's governing board adopts its annual operating budget for the next academic year, or after the governing board adopts a subsequent revision to that budget.

(2) The website required under subsection (1) shall include all of the following concerning the public university:

(a) The annual operating budget and subsequent budget revisions.

(b) A summary of current expenditures for the most recent fiscal year for which they are available, expressed as pie charts in the following 2 categories:

(*i*) A chart of personnel expenditures, broken into the following subcategories:

(A) Earnings and wages.

(B) Employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits.

(C) Retirement benefit costs.

(D) All other personnel costs.

(*ii*) A chart of all current expenditures the public university reported as part of its higher education institutional data inventory data under section 241(2), broken into the same subcategories in which it reported those data.

(c) Links to all of the following for the public university:

(*i*) The current collective bargaining agreement for each bargaining unit.

(*ii*) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee of the public university.

(*iii*) Audits and financial reports for the most recent fiscal year for which they are available.

(d) A list of all positions funded partially or wholly through institutional general fund revenue that includes the position title and annual salary or wage amount for each position.

(e) General fund revenue and expenditure projections for the current fiscal year and the next fiscal year.

(f) A listing of all debt service obligations, detailed by project, anticipated fiscal year payment for each project, and total outstanding debt for the current fiscal year.

(g) The institution's policy regarding the transferability of core college courses between community colleges and the university.

(h) A listing of all community colleges that have entered into reverse transfer agreements with the university.

(3) On the website required under subsection (1), a public university shall provide a dashboard or report card demonstrating the university's performance in several "best practice" measures. The dashboard or report card shall include at least all of the following for the 3 most recent academic years for which the data are available:

(a) Enrollment.

(b) Student retention rate.

(c) Six-year graduation rates.

(d) Number of Pell grant recipients and graduating Pell grant recipients.

(e) Geographic origination of students, categorized as in-state, out-of-state, and international.

(f) Faculty to student ratios and total university employee to student ratios.

(g) Teaching load by faculty classification.

(h) Graduation outcome rates, including employment and continuing education.

(4) For statewide consistency and public visibility, public universities must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each public university's homepage. The size of the icon may be reduced to 150 x 150 pixels. The font size and style for this reporting must be consistent with other documents on each university's website.

(5) The state budget director shall determine whether a public university has complied with this section. The state budget director may withhold a public university's monthly installments described in section 241 until the public university complies with this section.

(6) By the first business day of November of each year, a public university shall ~~report the following information to the center and~~ post the **following** information on its website under the budget transparency icon badge:

(a) Opportunities for earning college credit through the following programs:

(*i*) State approved career and technical education or a tech prep articulated program of study.

(*ii*) Direct college credit or concurrent enrollment.

(*iii*) Dual enrollment.

(*iv*) An early college/middle college program.

(b) For each program described in subdivision (a) that the public university offers, all of the following information:

(*i*) The number of high school students participating in the program.

(*ii*) The number of school districts that participate in the program with the public university.

(*iii*) Whether a university professor, qualified local school district employee, or other individual teaches the course or courses in the program.

(*iv*) The total cost to the public university to operate the program.

(*v*) The cost per credit hour for the course or courses in the program.

(*vi*) The location where the course or courses in the program are held.

(*vii*) Instructional resources offered to the program instructors.

(*viii*) Resources offered to the student in the program.

(*ix*) Transportation services provided to students in the program.

(7) A public university shall collect and report the number and percentage of all enrolled students who complete the Free Application for Federal Student Aid, broken out by undergraduate and graduate/professional classifications, to the center and post the information on its website under the budget transparency icon badge.

Sec. 245a. (1) A public university shall develop, maintain, and update a "campus safety information and resources" link, prominently displayed on the homepage of its website, to a section of its website containing all of the information required under subsection (2).

(2) The "campus safety information and resources" section of a public university's website shall include, but not be limited to, all of the following information:

(a) Emergency contact numbers for police, fire, health, and other services.

(b) Hours, locations, phone numbers, and electronic mail contacts for campus public safety offices and title IX offices.

(c) A listing of safety and security services provided by the university, including transportation, escort services, building surveillance, anonymous tip lines, and other available security services.

(d) A public university's policies applicable to minors on university property.

(e) A directory of resources available at the university or surrounding community for students or employees who are survivors of sexual assault or sexual abuse.

(f) An electronic copy of "A Resource Handbook for Campus Sexual Assault Survivors, Friends and Family", published in 2018**.** ~~by the office of the governor in conjunction with the first lady of Michigan.~~

(g) Campus security policies and crime statistics pursuant to the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381. Information shall include all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat 2381.

(3) A public university shall certify to the state budget director by October 1, ~~2019 and the last business day of each August thereafter~~ **2020** that it is in compliance with this section. The state budget director may withhold a public university's monthly installments described in section 241 until the public university complies with this section.

Sec. 256. (1) The funds appropriated in section 236 for the tuition incentive program must be distributed as provided in this section and pursuant to the administrative procedures for the tuition incentive program of the department of treasury.

(2) As used in this section:

(a) "Phase I" means the first part of the tuition incentive program defined as the academic period of 80 semester or 120 term credits, or less, leading to an associate degree or certificate. Students must be enrolled in a certificate or associate degree program and taking classes within the program of study for a certificate or associate degree. Tuition will not be covered for courses outside of a certificate or associate degree program.

(b) "Phase II" means the second part of the tuition incentive program that provides assistance in the third and fourth year of 4-year degree programs.

(c) "Department" means the department of treasury.

(d) "High school equivalency certificate" means that term as defined in section 4.

(3) An individual must meet the following basic criteria and financial thresholds to be eligible for tuition incentive program benefits:

(a) To be eligible for phase I, an individual must meet all of the following criteria:

~~(*i*) Apply for certification to the department any time after he or she begins the sixth grade but before August 31 of the school year in which he or she graduates from high school or before achieving a high school equivalency certificate. However, an individual who graduated or achieved a high school equivalency certificate after March 15, 2020 and before September 1, 2020 may apply for certification to the department any time before August 31, 2021.~~

(*i*) ~~(*ii*)~~ Be less than 20 years of age at the time he or she graduates from high school with a diploma or certificate of completion or achieves a high school equivalency certificate or, for students attending a 5-year middle college approved by the Michigan department of education, be less than 21 years of age when he or she graduates from high school.

(*ii*) ~~(*iii*)~~ Be a United States citizen and a resident of this state according to institutional criteria.

(iii) ~~(*iv*)~~ Be at least a half-time student, earning less than 80 semester or 120 term credits at a participating educational institution within 4 years of high school graduation or achievement of a high school equivalency certificate. All program eligibility expires ~~6 years from high school graduation or achievement of a high school equivalency certificate.~~**10 years after initial enrollment at a participating educational institution.**

(iv) ~~(*v*)~~ Meet the satisfactory academic progress policy of the educational institution he or she attends.

(b) To be eligible for phase II, an individual must meet either of the following criteria in addition to the criteria in subdivision (a):

(*i*) Complete at least 56 transferable semester or 84 transferable term credits.

(*ii*) Obtain an associate degree or certificate at a participating institution.

(c) To be eligible for phase I or phase II, an individual must be financially eligible as determined by the department. An individual is financially eligible for the tuition incentive program if he or she was eligible for Medicaid from this state for 24 months within the 36 consecutive months before application. The department shall accept certification of Medicaid eligibility only from the department of health and human services for the purposes of verifying if a person is Medicaid eligible for 24 months within the 36 consecutive months before application. Certification of eligibility may begin in the sixth grade.

(4) For phase I, the department shall provide payment on behalf of a person eligible under subsection (3). The department shall only accept standard per-credit hour tuition billings and shall reject billings that are excessive or outside the guidelines for the type of educational institution.

(5) For phase I, all of the following apply:

(a) Payments for associate degree or certificate programs must not be made for more than 80 semester or 120 term credits for any individual student at any participating institution.

(b) For persons enrolled at a Michigan community college, the department shall pay the current in-district tuition and mandatory fees. For persons residing in an area that is not included in any community college district, the out-of-district tuition rate may be authorized.

(c) For persons enrolled at a Michigan public university, the department shall pay lower division resident tuition and mandatory fees for the current year.

(d) For persons enrolled at a Michigan independent, nonprofit degree-granting college or university, or a Michigan federal tribally controlled community college, or Focus: HOPE, the department shall pay mandatory fees for the current year and a per-credit payment that does not exceed the average community college in-district per-credit tuition rate as reported ~~on August 1,~~ **by the last business day of August** for the immediately preceding academic year.

(6) A person participating in phase II may be eligible for additional funds not to exceed $500.00 per semester or $400.00 per term up to a maximum of $2,000.00 subject to the following conditions:

(a) Credits are earned in a 4-year program at a Michigan degree-granting 4-year college or university.

(b) The tuition reimbursement is for coursework completed within 30 months of completion of the phase I requirements.

(7) The department shall work closely with participating institutions to ~~develop an application and eligibility determination process that will~~ provide the highest level of participation and ensure that all requirements of the program are met.

(8) ~~Applications for the tuition incentive program may be approved at any time after the student begins the sixth grade. If a determination of financial eligibility is made, that determination is valid as long as the student meets all other program requirements and conditions.~~**The department shall notify students of their financial eligibility for the program any time after the student begins sixth grade.**

(9) Except as otherwise provided in section 3(d) of the Michigan reconnect grant act, 2020 PA 84, MCL 390.1703, and section 17 of the Michigan reconnect grant recipient act, 2020 PA 68, MCL 390.1717, each institution shall ensure that all known available restricted grants for tuition and fees are used prior to billing the tuition incentive program for any portion of a student's tuition and fees.

(10) The department shall ensure that the tuition incentive program is well publicized and that eligible Medicaid clients are provided information on the program. The department shall provide the necessary funding and staff to fully operate the program.

~~(11) Any unexpended and unencumbered funds remaining on September 30, 2020 from the amounts appropriated in section 236 for the tuition incentive program for fiscal year 2019-2020 do not lapse on September 30, 2020, but continue to be available for expenditure for tuition incentive program funds under a work project account.~~

(11) ~~(12)~~ The department of treasury shall collaborate with the center to use the P-20 longitudinal data system to report the following information for each qualified postsecondary institution:

(a) The number of phase I students in the most recently completed academic year who in any academic year received a tuition incentive program award and who successfully completed a degree or certificate

program. Cohort graduation rates for phase I students shall be calculated using the established success rate methodology developed by the center in collaboration with the postsecondary institutions.

(b) The number of students in the most recently completed academic year who in any academic year received a Pell grant at the reporting institution and who successfully completed a degree or certificate program. Cohort graduation rates for students who received Pell grants must be calculated using the established success rate methodology developed by the center in collaboration with the postsecondary institutions.

~~(13) If a qualified postsecondary institution does not report the data necessary to comply with subsection (12) to the P-20 longitudinal data system, the institution shall report, in a form and manner satisfactory to the department of treasury and the center, all of the information needed to comply with subsection (12) by December 1, 2020.~~

(12) ~~(14)~~ Beginning in fiscal year 2020-2021, if a qualified postsecondary institution does not report the data necessary to complete the reporting in subsection ~~(12)~~ **(11)** to the P-20 longitudinal data system by October 15 for the prior academic year, the department of treasury shall not award phase I tuition incentive program funding to otherwise eligible students enrolled in that institution until the data are submitted.

Sec. 259. It is the intent of the legislature that the department of treasury launch an aggressive campaign to inform high school students about the financial aid programs offered by this state and the eligibility requirements for participation in those financial aid programs.

Sec. 260. (1) The department of treasury shall work with student and postsecondary education groups, including the Michigan College Access Network, the Michigan Association of State Universities, the Michigan Community College Association, and the Michigan Independent Colleges and Universities, to provide an online informational resource for prospective and current student loan borrowers. The online informational resource must be a website or a portion of an existing website designed and maintained by the department of treasury that, to the extent practicable, contains information including, but not limited to, all of the following:

(a) A list of public and private community support centers, student debt clinics, and other organizations and their contact information submitted by Michigan College Access Network that provides free information and services for student loan borrowers to help educate them about repayment options and to help them access student loan programs or benefits for which they may be eligible.

(b) Links to state and federal financial aid programs, including FAFSA and College Scorecard.

(c) Benefits of federal student loans that may no longer be available if a borrower refinances a loan.

(d) Links to net price calculators for community colleges receiving an appropriation in section 201 and universities receiving an appropriation in section 236, if available.

(e) A list of loan servicers, including FAFSA.gov for federal loans, and contact information for each and for federally held loans made through the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan Program.

(f) Information on the fundamentals of borrowing and repayment, including, but not limited to, all of the following:

(*i*) Types of student loans and repayment options, including income-driven repayment, and a listing of employers in this state offering employment eligible for public service loan-forgiveness.

(*ii*) Deciding how much to borrow.

(*iii*) Creating a plan for borrowing and repayment.

(*iv*) Estimating how much borrowing is needed for a given school year.

(*v*) Evaluating financial aid offers.

(*vi*) Factors that affect total student loan costs.

(*vii*) Tips for graduating with less student loan debt.

(*viii*) A loan payment calculator or a link to a loan payment calculator that can be used for different types of loans.

(*ix*) Links to federal student loan entrance and exit counseling services and the FACT tool.

(*x*) Student loan debt relief scams.

(g) A list of student loan providers in this state.

(2) A university receiving an appropriation in section 236 shall place a prominent link to the website created under this section on its website homepage.

(3) Independent colleges and universities in this state are encouraged to place a link to the website created under this section on their website homepages.

Sec. 263. (1) Included in the appropriation in section 236 for fiscal year ~~2019-2020~~ **2020-2021** for MSU AgBioResearch is $2,982,900.00 and included in the appropriation in section 236 for MSU Extension is

$2,645,200.00 for Project GREEEN. Project GREEEN is intended to address critical regulatory, food safety, economic, and environmental problems faced by this state's plant-based agriculture, forestry, and processing industries. "GREEEN" is an acronym for Generating Research and Extension to Meet Environmental and Economic Needs.

(2) The department of agriculture and rural development and Michigan State University, in consultation with agricultural commodity groups and other interested parties, shall develop Project GREEEN and its program priorities.

Sec. 264. Included in the appropriation in section 236 for fiscal year ~~2019-2020~~ **2020-2021** for Michigan State University is $80,000.00 for the Michigan Future Farmers of America Association. This $80,000.00 allocation shall not supplant any existing support that Michigan State University provides to the Michigan Future Farmers of America Association.

Sec. 265. (1) Payments under section 265a for performance funding for fiscal years ~~2019-2020, 2020-2021,~~ **2020-2021, 2021-2022,** and ~~2021-2022~~ **2022-2023** shall only be made to a public university that certifies to the state budget director by October 1, ~~2019~~ **2020** that its board did not adopt an increase in tuition and fee rates for resident undergraduate students after September 1, ~~2018~~ **2019** for the ~~2018-2019~~ **2019-2020** academic year and that its board will not adopt an increase in tuition and fee rates for resident undergraduate students for the ~~2019-2020~~ **2020-2021** academic year that is greater than ~~4.4%~~ **4.25%** or ~~$587.00,~~ **$586.00,** whichever is greater. As used in this subsection:

(a) "Fee" means any board-authorized fee that will be paid by more than 1/2 of all resident undergraduate students at least once during their enrollment at a public university, as described in the higher education institutional data inventory (HEIDI) user manual. A university increasing a fee that applies to a specific subset of students or courses shall provide sufficient information to prove that the increase applied to that subset will not cause the increase in the average amount of board-authorized total tuition and fees paid by resident undergraduate students in the ~~2019-2020~~ **2020-2021** academic year to exceed the limit established in this subsection.

(b) "Tuition and fee rate" means the average of full-time rates paid by a majority of students in each undergraduate class, based on an unweighted average of the rates authorized by the university board and actually charged to students, deducting any uniformly rebated or refunded amounts, for the 2 semesters with the highest levels of full-time equated resident undergraduate enrollment during the academic year, as described in the higher education institutional data inventory (HEIDI) user manual.

(2) The state budget director shall implement uniform reporting requirements to ensure that a public university receiving a payment under section 265a for performance funding has satisfied the tuition restraint requirements of this section. The state budget director shall have the sole authority to determine if a public university has met the requirements of this section. Information reported by a public university to the state budget director under this subsection shall also be reported to the house and senate appropriations subcommittees on higher education and the house and senate fiscal agencies.

(3) Universities that exceed the tuition and fee rate cap described in subsection (1) shall not receive a planning or construction authorization for a state-funded capital outlay project in fiscal years ~~2020-2021, 2021-2022,~~ **2021-2022, 2022-2023,** or ~~2022-2023.~~**2023-2024.**

(4) Notwithstanding any other provision of this act, the legislature may at any time adjust appropriations for a university that adopts an increase in tuition and fee rates for resident undergraduate students that exceeds the rate cap established in subsection (1).

Sec. 265b. (1) Appropriations to public universities in section 236 for the fiscal year ending September 30, ~~2020~~ **2021** for operations funding shall be reduced by 10% pursuant to the procedures described in subdivision (a) for a public university that fails to submit certification to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies by October 1, ~~2019~~ **2020** that the university complies with sections 274c and 274d and that it complies with all of the requirements described in subdivisions (b) to (i), as follows:

(a) If a university fails to submit certification, the state budget director shall withhold 10% of that university's annual operations funding until the university submits certification. If a university fails to submit certification by the end of the fiscal year, the 10% of its annual operations funding that is withheld shall lapse to the general fund.

(b) For title IX investigations of alleged sexual misconduct, the university prohibits the use of medical experts that have an actual or apparent conflict of interest.

(c) For title IX investigations of alleged sexual misconduct, the university prohibits the issuance of divergent reports to complainants, respondents, and administration and instead requires that identical reports be issued to them.

(d) Consistent with the university's obligations under 20 USC 1092(f), the university notifies each individual who reports having experienced sexual assault by a student, faculty member, or staff member of the university that the individual has the option to report the matter to law enforcement, to the university, to both, or to neither, as the individual may choose.

(e) The university provides both of the following:

(*i*) For all freshmen and incoming transfer students enrolled, an in-person sexual misconduct prevention presentation or course, which must include contact information for the title IX office of the university.

(*ii*) For all students not considered freshmen or incoming transfer students, an online or electronic sexual misconduct prevention presentation or course.

(f) The university prohibits seeking compensation from the recipient of any medical procedure, treatment, or care provided by a medical professional who has been convicted of a felony arising out of the medical procedure, treatment, or care.

(g) The university had a third party review its title IX compliance office and related policies and procedures by the end of the 2018-2019 academic year. A copy of the third-party review shall be transmitted to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies. After the third-party review has been conducted for the 2018-2019 academic year, the university shall have a third-party review once every three years and a copy of the third-party review shall be transmitted to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies.

(h) The university requires that the governing board and the president or chancellor of the university receive not less than quarterly reports from their title IX coordinator or title IX office. The report shall contain aggregated data of the number of sexual misconduct reports that the office received for the academic year, the types of reports received, including reports received against employees, and a summary of the general outcomes of the reports and investigations. A member of the governing board may request to review a title IX investigation report involving a complaint against an employee, and the university shall provide the report in a manner it considers appropriate. The university shall protect the complainant's anonymity, and the report shall not contain specific identifying information.

(i) If allegations against an employee are made in more than 1 title IX complaint that resulted in the university finding that no misconduct occurred, the university requires that the title IX officer promptly notify the president or chancellor and a member of the university's governing board in writing and take all appropriate steps to ensure that the matter is being investigated thoroughly, including hiring an outside investigator for future cases involving that employee. A third-party title IX investigation under this subdivision does not prohibit the university from simultaneously conducting its own title IX investigation through its own title IX coordinator.

(2) Each public university that receives an appropriation in section 236 shall also certify that its president or chancellor and a member of its governing board has reviewed all title IX reports involving the alleged sexual misconduct of an employee of the university, and shall send the certification to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director by October 1, ~~2019.~~**2020.**

(3) For purposes of this section, "sexual misconduct" includes, but is not limited to, any of the following:

(a) Intimate partner violence.

(b) Nonconsensual sexual conduct.

(c) Sexual assault.

(d) Sexual exploitation.

(e) Sexual harassment.

(f) Stalking.

Sec. 267. All public universities shall submit the amount of tuition and fees actually charged to a full-time resident undergraduate student for academic year ~~2019-2020~~ **2020-2021** as part of their higher education institutional data inventory (HEIDI) data by October 1, ~~2019,~~ **2020,** and by ~~August 31 of~~ **the last business day of August** each year thereafter. A public university shall report any revisions for any semester of the reported academic year ~~2019-2020~~ **2020-2021** tuition and fee charges to HEIDI within 15 days of being adopted.

Sec. 268. (1) For the fiscal year ending September 30, ~~2020,~~ **2021,** it is the intent of the legislature that funds be allocated for unfunded North American Indian tuition waiver costs incurred by public universities under 1976 PA 174, MCL 390.1251 to 390.1253, from the general fund.

(2) By ~~February~~ **January** 15 of each year, the department of civil rights shall annually submit to the state budget director, the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies a report on North American Indian tuition waivers for the preceding academic year that includes, but is not limited to, all of the following information:

(a) The number of waiver applications received and the number of waiver applications approved.

(b) For each university submitting information under subsection (3), all of the following:

(*i*) The number of graduate and undergraduate North American Indian students enrolled each term for the previous academic year.

(*ii*) The number of North American Indian waivers granted each term, including to continuing education students, and the monetary value of the waivers for the previous academic year.

(*iii*) The number of graduate and undergraduate students attending under a North American Indian tuition waiver who withdrew from the university each term during the previous academic year. For purposes of this subparagraph, a withdrawal occurs when a student who has been awarded the waiver withdraws from the institution at any point during the term, regardless of enrollment in subsequent terms.

(*iv*) The number of graduate and undergraduate students attending under a North American Indian tuition waiver who successfully complete a degree or certificate program, separated by degree or certificate level, and the graduation rate for graduate and undergraduate students attending under a North American Indian tuition waiver who complete a degree or certificate within 150% of the normal time to complete, separated by the level of the degree or certificate.

(3) A public university that receives funds under section 236**, or a tribal college receiving pass-through funds under section 269, 270, or 270c,** shall provide to the department of civil rights any information necessary for preparing the report detailed in subsection (2), using guidelines and procedures developed by the department of civil rights.

(4) The department of civil rights may consolidate the report required under this section with the report required under section 223, but a consolidated report must separately identify data for universities and data for community colleges.

Sec. 269. For fiscal year ~~2019-2020,~~ **2020-2021,** from the amount appropriated in section 236 to Central Michigan University for ~~operations, $29,700.00~~ **costs incurred under the North American Indian tuition waiver, $79,700.00** shall be paid to Saginaw Chippewa Tribal College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. **It is the intent of the legislature that Saginaw Chippewa Tribal College provide the department of civil rights the necessary information for the college to be included in the report required under section 268.**

Sec. 270. For fiscal year ~~2019-2020,~~ **2020-2021,** from the amount appropriated in section 236 to Lake Superior State University for ~~operations, $100,000.00~~ **costs incurred under the North American Indian tuition waiver, $0.00** shall be paid to Bay Mills Community College for the costs of waiving tuition for North American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. **It is the intent of the legislature that Bay Mills Community College provide the department of civil rights the necessary information for the college to be included in the report required under section 268.**

Sec. 270b. (1) For fiscal year 2020-2021, from the amount appropriated in section 236 to Lake Superior State University for 1-time pass-through payment for Bay Mills Community College, $1,000,000.00 is to be paid to Bay Mills Community College for the costs of educating non-Native American students.

(2) The state treasurer shall direct Lake Superior State University to provide the payment described in subsection (1) after the state budget director determines that Bay Mills Community College submitted all of the information described in subdivisions (a) to (f), as follows, in the form and manner specified by the center. If the state budget director determines that Bay Mills Community College failed to submit any of the following information in the form and manner specified by the center, the state treasurer shall, subject to subsection (3), direct Lake Superior State University to withhold the payment from the community college until that information is submitted:

(a) The Michigan community colleges verified data inventory data for the preceding academic year to the center by the first business day of December of each year as specified in section 217.

(b) The college credit opportunity data set as specified in section 209.

(c) The longitudinal data set for the preceding academic year to the center as specified in section 219.

(d) The annual independent audit as specified in section 222.

(e) Tuition and mandatory fees information for the current academic year as specified in section 225.

(f) The number and type of associate degrees and other certificates awarded during the previous academic year as specified in section 226.

(3) The state budget director shall notify the chairs of the house and senate appropriations subcommittees on community colleges at least 10 days before directing funds to be withheld from Bay Mills Community College under this section.

Sec. 270c. For fiscal year 2020-2021, from the amount appropriated in section 236 to Northern Michigan University for costs incurred under the North American Indian tuition waiver, $50,000.00 is to be paid to Keweenaw Bay Ojibwa Community College for the costs of waiving tuition for North

American Indians under 1976 PA 174, MCL 390.1251 to 390.1253. It is the intent of the legislature that Keweenaw Bay Ojibwa Community College provide the department of civil rights the necessary information for the community college to be included in the report required under section 268.

Sec. 275. (1) Each public university that receives an appropriation in section 236 shall do all of the following:

(a) Meet the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, 38 USC 3301 to 3327, including voluntary participation in the Yellow Ribbon GI Education Enhancement Program established in that act in 38 USC 3317. By October 1 of each year, each public university shall report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the Michigan Association of State Universities on whether or not it has chosen to participate in the Yellow Ribbon GI Education Enhancement Program. If at any time during the fiscal year a university participating in the Yellow Ribbon Program chooses to leave the Yellow Ribbon Program, it shall notify the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the Michigan Association of State Universities.

(b) Establish an on-campus veterans' liaison to provide information and assistance to all student veterans.

(c) Provide flexible enrollment application deadlines for all veterans.

(d) Include in its admission application process a specific question as to whether an applicant for admission is a veteran, an active member of the military, a member of the National Guard or military reserves, or the spouse or dependent of a veteran, active member of the military, or member of the National Guard or military reserves, in order to more quickly identify potential educational assistance available to that applicant.

(e) Consider all veterans residents of this state for determining their tuition rates and fees.

(f) Waive enrollment fees for all veterans.

(g) Provide reasonable programming and scheduling accommodations necessary to facilitate a student's military, national guard, or military reserves duties and training obligations.

(2) By October 1 of each year, each public university shall report to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the department of military and veterans affairs regarding services provided specifically to veterans and active military duty personnel, including, but not limited to, the services described in subsection (1).

(3) As used in this section, "veteran" means an honorably discharged veteran entitled to educational assistance under the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, 38 USC 3301 to 3327.

Sec. 275f. By February 1, 2021, each public university receiving an appropriation in section 236 shall submit to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director a report on activities related to strategic planning and internal assessment or reassessment to best provide for open and free expression and speech, while protecting students from hate-speech, violence, and discrimination.

Sec. 275g. (1) By September 30, 2021, each public university receiving an appropriation in section 236 shall submit a report to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director containing the following information:

(a) The number of students enrolled during the 2020-2021 academic year.

(b) The number of courses offered by course type.

(c) The number of students enrolled by course type.

(d) The drop rate and pass/fail rate by course type.

(e) The average number of credit hours for which each student was enrolled at the start and end of each semester.

(f) The number of students residing on campus each semester.

(g) The number of students residing on campus between semesters.

(2) By November 1, 2020, each public university receiving an appropriation in section 236 shall submit a report to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director containing the following information:

(a) A list of any student fees assessed related to online learning, and the amount of those fees.

(b) A list of any student fees assessed related to COVID-19, and the amount of those fees.

(c) A timeline of when decisions regarding the course types offered during the 2020-2021 academic year were made, and whether there were changes to those decisions before the academic year began.

(d) An overview of COVID-19 mitigation strategies employed or that may be employed, if necessary.

(e) An overview of COVID-19 testing criteria and mitigation strategies employed for controlling an outbreak on campus.

(3) As used in this section, "course type" means the style of course delivery as being in-person, online, or as a hybrid of in-person and online learning.

Sec. 275h. It is the intent of the legislature to ensure that 60% of Michigan's residents achieve a postsecondary credential, high-quality industry certification, associate degree, or bachelor's degree by 2030.

Sec. 275i. (1) Each public university receiving an appropriation in section 236 shall use a portion of those funds to collect demographic information about students with dependent children to better identify the needs of those students, barriers to degree and certification completion for them, and campus support structures and resources available to them. This demographic information must include at least all of the following:

(a) The number of students with dependent children enrolled per semester.

(b) The number of students with dependent children enrolled living in university residence halls, in dormitories, and in apartments.

(c) The names of programs and resources available to students with dependent children, as well as offices that support those students.

(d) Identified barriers to certificate or degree completion for students with dependent children.

(2) A public university shall collect demographic information from students with dependent children through a method best determined by the institution using best practice research methodology. This may include admission application questions, incoming-student orientation surveys, campus-wide climate surveys, financial aid surveys, housing surveys, or partnerships with government and nonprofit agencies that can provide general data that protects the individual privacy rights of students with dependent children.

(3) Student privacy rights must be protected during the collection process. Reporting must be voluntary on the part of students with dependent children. The public university shall include privacy protections for students and a description of the rationale for collecting the data.

(4) Each public university shall report to the senate and house appropriations subcommittees on higher education, the senate and house fiscal agencies, and the state budget director its collected data and survey results by the first business day of February.

(5) The collected data on students with dependent children will be used by the legislature to inform future appropriation decisions.

Sec. 276. (1) Included in the appropriation for fiscal year ~~2019-2020~~ **2020-2021** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks future faculty program that is intended to increase the pool of academically or economically disadvantaged candidates pursuing faculty teaching careers in postsecondary education. Preference may not be given to applicants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage applications from applicants who would otherwise not adequately be represented in the graduate student and faculty populations. Each public university shall apply the percentage change applicable to every public university in the calculation of appropriations in section 236 to the amount of funds allocated to the future faculty program.

(2) The program shall be administered by each public university in a manner prescribed by the ~~workforce development agency.~~ **department of labor and economic opportunity.** The ~~workforce development agency~~ **department of labor and economic opportunity** shall use a good faith effort standard to evaluate whether a fellowship is in default.

Sec. 277. (1) Included in the appropriation for fiscal year ~~2019-2020~~ **2020-2021** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college day program that is intended to introduce academically or economically disadvantaged schoolchildren to the potential of a college education. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Public universities should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) Individual program plans of each public university shall include a budget of equal contributions from this program, the participating public university, the participating school district, and the participating independent degree-granting college. College day funds shall not be expended to cover indirect costs. Not more than 20% of the university match shall be attributable to indirect costs. Each public university shall apply the percentage change applicable to every public university in the calculation of appropriations in section 236 to the amount of funds allocated to the college day program.

(3) The program described in this section shall be administered by each public university in a manner prescribed by the ~~workforce development agency.~~**department of labor and economic opportunity.**

Sec. 278. (1) Included in section 236 for fiscal year ~~2019-2020~~ **2020-2021** is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks select student support services program for developing academically or economically disadvantaged student retention programs for 4-year public and independent educational institutions in this state. Preference may not be given to participants on the basis of race, color, ethnicity,

gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) An award made under this program to any 1 institution shall not be greater than $150,000.00, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program described in this section shall be administered by the ~~workforce development agency.~~**department of labor and economic opportunity.**

Sec. 279. (1) Included in section 236 for fiscal year ~~2019-2020~~ **2020-2021** is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college/university partnership program between 4-year public and independent colleges and universities and public community colleges, which is intended to increase the number of academically or economically disadvantaged students who transfer from community colleges into baccalaureate programs. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the transfer student population.

(2) The grants shall be made under the program described in this section to Michigan public and independent colleges and universities. An award to any 1 institution shall not be greater than $150,000.00, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) The program described in this section shall be administered by the ~~workforce development agency.~~**department of labor and economic opportunity.**

Sec. 280. (1) Included in the appropriation for fiscal year ~~2019-2020~~ **2020-2021** for each public university in section 236 is funding for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks visiting professors program which is intended to increase the number of instructors in the classroom to provide role models for academically or economically disadvantaged students. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Public universities should encourage participation from those who would otherwise not adequately be represented in the student population.

(2) The program described in this section shall be administered by the ~~workforce development agency.~~**department of labor and economic opportunity.**

Sec. 281. (1) Included in the appropriation for fiscal year ~~2019-2020~~ **2020-2021** in section 236 is funding under the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiative for the Morris Hood, Jr. educator development program which is intended to increase the number of academically or economically disadvantaged students who enroll in and complete K-12 teacher education programs at the baccalaureate level. Preference may not be given to participants on the basis of race, color, ethnicity, gender, or national origin. Institutions should encourage participation from those who would otherwise not adequately be represented in the teacher education student population.

(2) The program described in this section shall be administered by each state-approved teacher education institution in a manner prescribed by the ~~workforce development agency.~~**department of labor and economic opportunity.**

(3) Approved teacher education institutions may and are encouraged to use student support services funding in coordination with the Morris Hood, Jr. funding to achieve the goals of the program described in this section.

Sec. 281a. (1) Each public university that receives an amount of the appropriations in section 236 for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks initiatives shall submit a report to the department of labor and economic opportunity by December 15 of each year containing, at a minimum, all of the following information from the immediately preceding academic year:

(a) For the future faculty program detailed in section 276, the number of completions by degree type, and the fellowship default rate.

(b) For the college day program detailed in section 277, the number of students served and the amount of matching funds from each college and participating school district.

(c) For the select student support services program detailed in section 278, the number of students served, the amount of any university matching funds for the program, and the number and percentage of program participants who graduate.

(d) For the college/university partnership program detailed in section 279, the number of students served, the number of bachelor's degrees conferred to program participants, the 6-year graduation rate of program participants, and the amount of any university matching funds for the program.

(e) For the visiting professors program detailed in section 280, the number of students who took a class taught by an instructor hired using program funds, the number of instructors hired using program funds, the number of class sections taught by instructors hired using program funds, and the amount of any university matching funds for the program.

(f) For the educator development program detailed in section 281, the number of students participating in the program and the number of education-related bachelor's degrees conferred to participants in the program.

(2) By February 15 of each year, the department of labor and economic opportunity shall compile the reports submitted under subsection (1) and submit them to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director.

Sec. 282. Each institution receiving funds for fiscal year ~~2019-2020~~ **2020-2021** under section 278, 279, or 281 shall provide to the ~~workforce development agency~~ **department of labor and economic opportunity** by April 15, ~~2020~~ **2021** the unobligated and unexpended funds as of March 31, ~~2020~~ **2021** and a plan to expend the remaining funds by the end of the fiscal year. Notwithstanding the award limitations in sections 278 and 279, the amount of funding reported as not being expended will be reallocated to the institutions that intend to expend all funding received under section 278, 279, or 281.

Sec. 289. (1) ~~At~~ **In accordance with section 299(4) of the management and budget act, 1984 PA 431, MCL 18.1299, at** least once every 4 years, the auditor general shall audit higher education institutional data inventory (HEIDI) data submitted by all public universities under section 241 and may perform audits of selected public universities if determined necessary. The audits shall be based upon the definitions, requirements, and uniform reporting categories established by the state budget director in consultation with the HEIDI advisory committee. The auditor general shall submit a report of findings to the house and senate appropriations committees and the state budget director no later than July 1 of each year an audit takes place.

(2) Student credit hours reports shall not include the following:

(a) Student credit hours generated through instructional activity by faculty or staff in classrooms located outside Michigan, with the exception of instructional activity related to study-abroad programs or field programs.

(b) Student credit hours generated through credit by examination.

(c) Student credit hours generated in new degree programs created on or after January 1, 1975 and before January 1, 2013, that were not specifically authorized for funding by the legislature, except spin-off programs converted from existing core programs, and student credit hours generated in any new degree programs created after January 1, 2013, that are specifically excluded from reporting by the legislature under this section.

Sec. 296. (1) If the maximum amount appropriated under this act from the state school aid fund for a fiscal year exceeds the amount necessary to fully fund allocations under this act from the state school aid fund, that excess amount shall not be expended in that state fiscal year and shall not lapse to the general fund, but instead shall be deposited into the school aid stabilization fund created in section 11a.

(2) If the total maximum amount appropriated under all articles of this act from the state school aid fund and the school aid stabilization fund exceeds the amount available for expenditure from the state school aid fund for that fiscal year, payments under sections ~~11f, 11g,~~ 11j, **11m,** 22a, 26a, 26b, **26c,** 31d, 31f, 51a(2), ~~51a(12),~~ **51a(11),** 51c, 53a, 56, **147c, 147e(2)(a),** and 152a shall be made in full. In addition, for districts beginning operations after 1994-95 that qualify for payments under section 22b, payments under section 22b shall be made so that the qualifying districts receive the lesser of an amount equal to the 1994-95 foundation allowance of the district in which the district beginning operations after 1994-95 is located or $5,500.00. The amount of the payment to be made under section 22b for these qualifying districts shall be as calculated under section 22a, with the balance of the payment under section 22b being subject to the proration otherwise provided under this subsection and subsection (3). If proration is necessary, state payments under each of the other sections of article I from all state funding sources, and state appropriations to community colleges and public universities under articles II and III from the state school aid fund, shall be prorated in the manner prescribed in subsection (3) as necessary to reflect the amount available for expenditure from the state school aid fund for the affected fiscal year. However, if the department of treasury determines that proration will be required under this subsection, or if the department of treasury determines that further proration is required under this subsection after an initial proration has already been made for a fiscal year, the department of treasury shall notify the state budget director, and the state budget director shall notify the legislature at least 30 calendar days or 6 legislative session days, whichever is more, before the department reduces any payments under this act because of the proration. During the 30-calendar-day or 6-legislative-session-day period after that notification by the state budget director, the department shall not reduce any payments under this act because of proration under this subsection. The legislature may prevent proration from occurring by, within the 30-calendar-day or 6-legislative-session-day period after that notification by the state budget director, enacting legislation appropriating additional funds from the general fund, countercyclical budget and economic stabilization fund, state school aid fund balance, or another source to fund the amount of the projected shortfall.

(3) If proration is necessary under subsection (2), the department shall calculate the proration in district and intermediate district payments under article I that is required under subsection (2), and the department

of treasury shall calculate the proration in community college and public university payments under articles II and III that is required under subsection (2), as follows:

(a) The department and the department of treasury shall calculate the percentage of total state school aid fund money that is appropriated and allocated under this act for the affected fiscal year for each of the following:

(*i*) Districts.

(*ii*) Intermediate districts.

(*iii*) Entities receiving funding from the state school aid fund under article I other than districts or intermediate districts.

(*iv*) Community colleges and public universities that receive funding from the state school aid fund.

(b) The department shall recover a percentage of the proration amount required under subsection (2) that is equal to the percentage calculated under subdivision (a)(*i*) for districts by reducing payments to districts. This reduction shall be made by calculating an equal dollar amount per pupil as necessary to recover this percentage of the proration amount and reducing each district's total state school aid from state sources, other than payments under sections ~~11f, 11g,~~ 11j, **11m,** 22a, 26a, 26b, **26c,** 31d, 31f, 51a(2), ~~51a(12),~~ **51a(11),** 51c, 53a, **147c, 147e(2)(a),** and 152a, by that amount.

(c) The department shall recover a percentage of the proration amount required under subsection (2) that is equal to the percentage calculated under subdivision (a)(*ii*) for intermediate districts by reducing payments to intermediate districts. This reduction shall be made by reducing the payments to each intermediate district, other than payments under sections ~~11f, 11g,~~ 26a, 26b, **26c,** 51a(2), ~~51a(12),~~ **51a(11),** 53a, 56, **147c, 147e(2)(a),** and 152a, on an equal percentage basis.

(d) The department shall recover a percentage of the proration amount required under subsection (2) that is equal to the percentage calculated under subdivision (a)(*iii*) for entities receiving funding from the state school aid fund under article I other than districts and intermediate districts by reducing payments to these entities. This reduction shall be made by reducing the payments to each of these entities, other than payments under sections 11j, **11m,** 26a, ~~and~~ 26b, **and 26c** on an equal percentage basis.

(e) The department of treasury shall recover a percentage of the proration amount required under subsection (2) that is equal to the percentage calculated under subdivision (a)(*iv*) for community colleges and public universities that receive funding from the state school aid fund by reducing that portion of the payments under articles II and III to these community colleges and public universities**, other than payments under sections 201(5) and 236(4),** that is from the state school aid fund on an equal percentage basis.

Enacting section 1. (1) In accordance with section 30 of article IX of the state constitution of 1963, total state spending on school aid under article I of the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2019 PA 58, 2019 PA 162, 2020 PA 146, and this amendatory act, from state sources for fiscal year 2019-2020 is estimated at $13,051,648,700.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2019-2020 are estimated at $12,845,578,900.00. In accordance with section 30 of article IX of the state constitution of 1963, total state spending on school aid under article I of the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2020 PA 147, 2020 PA 148, 2020 PA 149, and this amendatory act, from state sources for fiscal year 2020-2021 is estimated at $13,718,286,400.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2020-2021 are estimated at $13,546,289,200.00.

(2) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for community colleges for fiscal year 2020-2021 under article II of the state school aid act of 1979, 1979 PA 94, MCL 388.1801 to 388.1830, is estimated at $425,667,600.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is estimated at $425,667,600.00.

(3) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for higher education for fiscal year 2020-2021 under article III of the state school aid act of 1979, 1979 PA 94, MCL 388.1836 to 388.1891, is estimated at $1,573,899,000.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is estimated at $0.00.

Enacting section 2. (1) Article V of the state school aid act of 1979, 1979 PA 94, MCL 388.1897 to 388.1897*l*, is repealed effective October 1, 2020.

(2) Sections 31b, 35c, 54e, 61f, 64d, 74a, 95a, 99v, 102d, 201a, 201c, 210f, 236a, 236g, and 265c of the state school aid act of 1979, MCL 388.1631b, 388.1635c, 388.1654e, 388.1661f, 388.1664d, 388.1674a, 388.1695a, 388.1699v, 388.1702d, 388.1801a, 388.1801c, 388.1810f, 388.1836a, 388.1836g, and 388.1865c, are repealed effective October 1, 2020.

Enacting section 3. (1) Except as otherwise provided in subsection (2), this amendatory act takes effect October 1, 2020.

(2) Sections 11, 11p, 22a, 22b, 31n, 51c, 56, 62, and 99w of the state school aid act of 1979, MCL 388.1611, 388.1611p, 388.1622a, 388.1622b, 388.1631n, 388.1651c, 388.1656, 388.1662, and 388.1699w, as amended by this amendatory act, take effect upon enactment of this amendatory act.

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts" by amending sections 2, 3, 6, 11, 11a, 11d, 11j, 11k, 11m, 11p, 11s, 15, 17c, 18, 18a, 20, 20d, 20f, 21h, 22a, 22b, 22d, 22m, 22p, 24, 24a, 25f, 25g, 26a, 26b, 26c, 28, 31a, 31d, 31f, 31j, 31n, 32d, 32p, 35a, 35b, 39, 39a, 41, 51a, 51c, 51d, 51f, 53a, 54, 54b, 54d, 55, 56, 61a, 61b, 61d, 62, 65, 67, 74, 81, 94, 94a, 95b, 98, 98a, 99h, 99s, 99t, 99u, 99w, 99x, 101, 104, 105, 105c, 107, 147, 147a, 147c, 147e, 152a, 152b, 163, 201, 202a, 203, 205, 206, 207a, 207b, 207c, 209, 209a, 217, 222, 223, 226, 229, 229a, 230, 236, 236b, 236c, 237b, 238, 241, 242, 245, 245a, 256, 263, 264, 265, 265b, 267, 268, 269, 270, 275, 276, 277, 278, 279, 280, 281, 282, 289, and 296 (MCL 388.1602, 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611d, 388.1611j, 388.1611k, 388.1611m, 388.1611p, 388.1611s, 388.1615, 388.1617c, 388.1618, 388.1618a, 388.1620, 388.1620d, 388.1620f, 388.1621h, 388.1622a, 388.1622b, 388.1622d, 388.1622m, 388.1622p, 388.1624, 388.1624a, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1628, 388.1631a, 388.1631d, 388.1631f, 388.1631j, 388.1631n, 388.1632d, 388.1632p, 388.1635a, 388.1635b, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1651f, 388.1653a, 388.1654, 388.1654b, 388.1654d, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1661d, 388.1662, 388.1665, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1695b, 388.1698, 388.1698a, 388.1699h, 388.1699s, 388.1699t, 388.1699u, 388.1699w, 388.1699x, 388.1701, 388.1704, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1747e, 388.1752a, 388.1752b, 388.1763, 388.1801, 388.1802a, 388.1803, 388.1805, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1809a, 388.1817, 388.1822, 388.1823, 388.1826, 388.1829, 388.1829a, 388.1830, 388.1836, 388.1836b, 388.1836c, 388.1837b, 388.1838, 388.1841, 388.1842, 388.1845, 388.1845a, 388.1856, 388.1863, 388.1864, 388.1865, 388.1865b, 388.1867, 388.1868, 388.1869, 388.1870, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1889, and 388.1896), section 2 as amended by 2018 PA 227, sections 3, 203, 222, 223, 237b, and 275 as amended by 2017 PA 108, sections 6, 11p, and 104 as amended by 2020 PA 149, sections 11, 11m, 20, 22a, 22b, 26c, 31j, 32d, 51a, 51c, 61a, 94a, 95b, 99h, 147c, 147e, 201, 236, and 256 as amended by 2020 PA 146, sections 11a, 11j, 11k, 11s, 15, 18, 20d, 20f, 21h, 22m, 22p, 24, 24a, 26a, 26b, 31d, 31f, 31n, 32p, 39, 39a, 41, 51d, 53a, 54, 54b, 56, 61b, 61d, 62, 65, 67, 74, 81, 94, 98, 99s, 107, 147, 147a, and 152a as amended by 2019 PA 58, section 11d as added by 2020 PA 146, sections 17c, 35b, and 99u as amended by 2018 PA 586, section 18a as amended by 2015 PA 85, sections 22d, 25f, 25g, 31a, and 35a as amended by 2019 PA 162, section 54d as amended and sections 28 and 51f as added by 2019 PA 58, sections 55, 99t, 152b, 226, and 229 as amended by 2018 PA 265, section 98a as added by 2020 PA 149, sections 99w and 99x as added by 2018 PA 586, section 101 as amended by 2020 PA 148, sections 105 and 105c as amended by 2008 PA 268, section 163 as amended by 2018 PA 266, section 202a as amended by 2016 PA 249, sections 205, 238, and 242 as amended by 2012 PA 201, sections 206, 207a, 207b, 207c, 209, 209a, 217, 229a, and 230 as amended by 2019 PA 52, sections 236b, 236c, 241, 245, 245a, 263, 264, 265, 265b, 267, 268, 269, 270, 276, 277, 278, 279, 280, 281, 282, and 289 as amended by 2019 PA 62, and section 296 as added by 2011 PA 62, and by adding sections 25i, 25j, 29a, 31k, 35d, 35e, 35f, 67a, 94b, 98d, 99i, 99z, 104f, 104g, 226a, 226b, 226d, 226e, 259, 260, 270b, 270c, 275f, 275g, 275h, 275i, and 281a; and to repeal acts and parts of acts.

Shane Hernandez
Aaron Miller
Jon Hoadley
Conferees for the House

Jim Stamas
Wayne A. Schmidt
Curtis Hertel, Jr
Conferees for the Senate

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 321 **Yeas—36**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Bayer	Horn	McCann	Shirkey
Bizon	Irwin	McMorrow	Stamas
Brinks	Johnson	Moss	Theis
Bullock	LaSata	Nesbitt	VanderWall
Bumstead	Lauwers	Outman	Victory
Chang	Lucido	Polehanki	Wojno
Daley	MacDonald	Runestad	Zorn

Nays—1

Barrett

Excused—1

Hollier

Not Voting—0

In The Chair: President

Senator MacGregor moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Senator Stamas asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Stamas' statement is as follows:

This budget recognizes the challenges students, parents, and teachers are facing in this unprecedented time, especially in the school year. Even as we face a budget shortfall, we've increased funding to our K-12 students. This bill includes a $65 per pupil increase, it has an additional $66 million for growing schools, $37 million for student mental health support, $3 million for early childhood literacy—it has so many things that we were very concerned would be challenged, yet this chamber, Senator Schmidt, and Senator LaSata have both taken time to prioritize education as one of our number one things in this school. I want to thank the good Senators for their work and I would ask for support on this bill.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:46 a.m.

11:42 a.m.

The Senate was called to order by the President, Lieutenant Governor Gilchrist.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator MacGregor moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Gilchrist, designated Senator VanderWall as Chairperson.

After some time spent therein, the Committee arose; and the President pro tempore, Senator Nesbitt having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 536, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2083) by adding section 1070a.

House Bill No. 4981, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1c.

House Bill No. 4983, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1d.

House Bill No. 4984, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2016 PA 336.

House Bill No. 5120, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1f.

Senate Bill No. 682, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 28 of chapter XIIA (MCL 712A.28), as amended by 1998 PA 478.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5289, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2882 and 2891 (MCL 333.2882 and 333.2891), section 2882 as amended by 2002 PA 691 and section 2891 as amended by 2019 PA 89.

Substitute (S-1)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4980, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 2, 3, and 4 (MCL 780.622, 780.623, and 780.624), sections 2 and 4 as amended by 2014 PA 335 and section 3 as amended by 2014 PA 463, and by adding section 1g.

Substitute (S-6)

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 5, line 14, after "**used**" by inserting "**as authorized under section 3 and**".

2. Amend page 6, line 22, after "**police**" by striking out "**and**" and inserting a comma.

3. Amend page 6, line 23, after "**budget**" by inserting a comma and "**and the state court administrative office**".

4. Amend page 10, following line 12, by inserting:

"**(6) An entity is not liable for damages or subject to criminal penalties under this section for reporting a public record of conviction that has been set aside by court order or operation of law, if that record was available as a public record on the date of the report.**" and renumbering the remaining subsection.

The Senate agreed to the substitute as amended recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4982, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1e.

Substitute (S-2)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4985, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1b.

Substitute (S-2)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 681, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18e of chapter XIIA (MCL 712A.18e), as amended by 2018 PA 142, and by adding section 18t of chapter XIIA.

Substitute (S-3)

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator MacGregor moved that the rules be suspended and that the following bills, now on Third Reading of Bills, be placed on their immediate passage:

House Bill No. 4980
House Bill No. 4981
House Bill No. 4982
House Bill No. 4983
House Bill No. 4984
House Bill No. 4985
House Bill No. 5120
Senate Bill No. 681
Senate Bill No. 682

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

Senator MacGregor moved that the Senate proceed to consideration of the following bills:

Senate Bill No. 826
House Bill No. 4926
House Bill No. 4927
House Bill No. 4928
House Bill No. 4929
House Bill No. 4930
House Bill No. 5482
House Bill No. 5339
House Bill No. 5340
House Bill No. 4980
House Bill No. 4981
House Bill No. 4982
House Bill No. 4983
House Bill No. 4984
House Bill No. 4985
House Bill No. 5120
Senate Bill No. 681
Senate Bill No. 682

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 826, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 100b, 100c, 281b, 400, 420, 423, 425, 426, 427, 429, 430, 434, 435, 438, 452, 461, 463, 498o, 517, 532, 700, 740, and 742 (MCL 330.1100a, 330.1100b, 330.1100c, 330.1281b, 330.1400, 330.1420, 330.1423, 330.1425, 330.1426, 330.1427, 330.1429, 330.1430, 330.1434, 330.1435, 330.1438, 330.1452, 330.1461, 330.1463, 330.1498o, 330.1517, 330.1532, 330.1700, 330.1740, and 330.1742), sections 100a, 400, and 420 as amended by 2018 PA 595, section 100b as amended by 2020 PA 55, section 100c as amended by 2020 PA 99, section 281b as added by 2014 PA 200, sections 423, 425, 426, 427, 429, and 463 as amended by 2016 PA 320, sections 430, 498o, 700, and 740 as amended by 1995 PA 290, sections 434, 435, 438, 452, and 461 as amended by 2018 PA 593, sections 517 and 532 as amended by 2018 PA 596, and section 742 as amended by 2004 PA 527.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 322 **Yeas—36**

Alexander	Daley	MacGregor	Santana
Ananich	Geiss	McBroom	Schmidt

Barrett	Horn	McCann	Shirkey
Bayer	Irwin	McMorrow	Stamas
Bizon	Johnson	Moss	Theis
Brinks	LaSata	Nesbitt	VanderWall
Bullock	Lauwers	Outman	Victory
Bumstead	Lucido	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn

Nays—0

Excused—1

Hollier

Not Voting—1

Hertel

In The Chair: Nesbitt

Senator MacGregor moved to reconsider the vote by which the bill was passed.
The motion prevailed, a majority of the members serving voting therefor.
The question being on the passage of the bill,
The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 323 **Yeas—37**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Horn	McCann	Shirkey
Bayer	Irwin	McMorrow	Stamas
Bizon	Johnson	Moss	Theis
Brinks	LaSata	Nesbitt	VanderWall
Bullock	Lauwers	Outman	Victory
Bumstead	Lucido	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn
Daley			

Nays—0

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4926, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending sections 5, 13, and 14 (MCL 123.1345, 123.1353, and 123.1354), as amended by 2018 PA 247.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 324 **Yeas—36**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Bayer	Horn	McCann	Shirkey
Bizon	Irwin	McMorrow	Stamas
Brinks	Johnson	Moss	Theis
Bullock	LaSata	Nesbitt	VanderWall
Bumstead	Lauwers	Outman	Victory
Chang	Lucido	Polehanki	Wojno
Daley	MacDonald	Runestad	Zorn

Nays—1

Barrett

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to create a metropolitan authority; to prescribe the powers, duties, and jurisdictions of the metropolitan authority; to prescribe the powers and duties of certain state officials; to levy, collect, and distribute a tax; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4927, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending section 17 (MCL 123.1357), as amended by 2018 PA 616.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 325 **Yeas—37**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Horn	McCann	Shirkey
Bayer	Irwin	McMorrow	Stamas

Bizon	Johnson	Moss	Theis
Brinks	LaSata	Nesbitt	VanderWall
Bullock	Lauwers	Outman	Victory
Bumstead	Lucido	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn
Daley			

Nays—0

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to create a metropolitan authority; to prescribe the powers, duties, and jurisdictions of the metropolitan authority; to prescribe the powers and duties of certain state officials; to levy, collect, and distribute a tax; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4928, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending section 17 (MCL 123.1357), as amended by 2018 PA 616.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 326 **Yeas—36**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Bayer	Horn	McCann	Shirkey
Bizon	Irwin	McMorrow	Stamas
Brinks	Johnson	Moss	Theis
Bullock	LaSata	Nesbitt	VanderWall
Bumstead	Lauwers	Outman	Victory
Chang	Lucido	Polehanki	Wojno
Daley	MacDonald	Runestad	Zorn

Nays—1

Barrett

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to create a metropolitan authority; to prescribe the powers, duties, and jurisdictions of the metropolitan authority; to prescribe the powers and duties of certain state officials; to levy, collect, and distribute a tax; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4929, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending section 16a (MCL 123.1356a), as amended by 2018 PA 247.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 327 **Yeas—36**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Bayer	Horn	McCann	Shirkey
Bizon	Irwin	McMorrow	Stamas
Brinks	Johnson	Moss	Theis
Bullock	LaSata	Nesbitt	VanderWall
Bumstead	Lauwers	Outman	Victory
Chang	Lucido	Polehanki	Wojno
Daley	MacDonald	Runestad	Zorn

Nays—1

Barrett

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to create a metropolitan authority; to prescribe the powers, duties, and jurisdictions of the metropolitan authority; to prescribe the powers and duties of certain state officials; to levy, collect, and distribute a tax; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4930, entitled

A bill to amend 2014 PA 86, entitled "Local community stabilization authority act," by amending section 18 (MCL 123.1358), as amended by 2018 PA 616.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 328 **Yeas—36**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Bayer	Horn	McCann	Shirkey
Bizon	Irwin	McMorrow	Stamas
Brinks	Johnson	Moss	Theis
Bullock	LaSata	Nesbitt	VanderWall
Bumstead	Lauwers	Outman	Victory
Chang	Lucido	Polehanki	Wojno
Daley	MacDonald	Runestad	Zorn

Nays—1

Barrett

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to create a metropolitan authority; to prescribe the powers, duties, and jurisdictions of the metropolitan authority; to prescribe the powers and duties of certain state officials; to levy, collect, and distribute a tax; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5482, entitled

A bill to provide for certain requirements regarding suicide prevention for schools; to prescribe the rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school

districts, and other public school entities; to provide for and prescribe the powers and duties of certain state departments; and to provide for the regulation of certain school employees.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 329 **Yeas—37**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Horn	McCann	Shirkey
Bayer	Irwin	McMorrow	Stamas
Bizon	Johnson	Moss	Theis
Brinks	LaSata	Nesbitt	VanderWall
Bullock	Lauwers	Outman	Victory
Bumstead	Lucido	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn
Daley			

Nays—0

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5339, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 36a (MCL 567.256a), as added by 2016 PA 312.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 330 **Yeas—22**

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	MacGregor	Shirkey	Zorn
Johnson	McBroom		

Nays—15

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	Wojno
Brinks	Hertel	Moss	

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

The President, Lieutenant Governor Gilchrist, resumed the Chair.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:
"An act concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,".
The Senate agreed to the full title.

The following bill was read a third time:
House Bill No. 5340, entitled
A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 36 (MCL 567.256), as amended by 2016 PA 312.
The question being on the passage of the bill,
The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 331 **Yeas—22**

Barrett	LaSata	Nesbitt	Stamas
Bizon	Lauwers	Outman	Theis
Bumstead	Lucido	Runestad	VanderWall
Daley	MacDonald	Schmidt	Victory
Horn	MacGregor	Shirkey	Zorn
Johnson	McBroom		

Nays—15

Alexander	Bullock	Irwin	Polehanki
Ananich	Chang	McCann	Santana
Bayer	Geiss	McMorrow	Wojno
Brinks	Hertel	Moss	

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4980, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 2, 3, and 4 (MCL 780.622, 780.623, and 780.624), sections 2 and 4 as amended by 2014 PA 335 and section 3 as amended by 2014 PA 463, and by adding sections 1g, 1h, and 1i.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 332 **Yeas—29**

Alexander	Daley	MacGregor	Schmidt
Ananich	Geiss	McCann	Shirkey
Barrett	Hertel	McMorrow	Stamas
Bayer	Horn	Moss	VanderWall
Bizon	Irwin	Outman	Victory
Brinks	Lucido	Polehanki	Wojno
Bullock	MacDonald	Santana	Zorn
Chang			

Nays—8

Bumstead	LaSata	McBroom	Runestad
Johnson	Lauwers	Nesbitt	Theis

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

Senator Santana asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Santana's statement is as follows:

I also will agree with my colleague who took the opportunity to speak up on this issue. Over the past few years we have seen where—through driver responsibility fees—people have paid the price for driving under the influence and we have made them pay for that. In addition to that, because they were not able to get their driver's license back, they were not able to have the upper mobility to have job opportunities. And so while I agree with my colleague and have taken the liberty to do the studies through the Criminal Justice Policy Commission to see where people who have DUIs are being penalized when they receive a DUI and that becomes a part of a habitual offense for their records, I would like to partner with you on working through this process to make sure that we are continuing to work on these issues to make sure that we're giving people the opportunity to be redeemed and actually move on with their lives. I think that is very important. So as the Pretrial Incarceration Task Force package comes up, I hope that you all will support that as well because that is the next issue that we were planning on tackling through this process. So I look forward to working with the Senator from the Upper Peninsula and I hope that all my colleagues will also join me in working on making sure that we can move Michigan forward and move its people forward.

The following bill was read a third time:

House Bill No. 4981, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1c.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 333 **Yeas—34**

Alexander	Daley	McCann	Schmidt
Ananich	Geiss	McMorrow	Shirkey
Barrett	Hertel	Moss	Stamas
Bayer	Horn	Nesbitt	Theis
Bizon	Irwin	Outman	VanderWall
Brinks	LaSata	Polehanki	Victory
Bullock	Lucido	Runestad	Wojno
Bumstead	MacDonald	Santana	Zorn
Chang	MacGregor		

Nays—3

Johnson	Lauwers	McBroom

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:
House Bill No. 4982, entitled
A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1e.
The question being on the passage of the bill,
The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 334 **Yeas—35**

Alexander	Daley	MacGregor	Schmidt
Ananich	Geiss	McCann	Shirkey
Barrett	Hertel	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Irwin	Nesbitt	VanderWall
Brinks	Johnson	Outman	Victory
Bullock	LaSata	Polehanki	Wojno
Bumstead	Lucido	Runestad	Zorn
Chang	MacDonald	Santana	

Nays—2

Lauwers McBroom

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:
House Bill No. 4983, entitled
A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and

their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1d.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 335 **Yeas—35**

Alexander	Daley	MacGregor	Schmidt
Ananich	Geiss	McCann	Shirkey
Barrett	Hertel	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Irwin	Nesbitt	VanderWall
Brinks	Johnson	Outman	Victory
Bullock	LaSata	Polehanki	Wojno
Bumstead	Lucido	Runestad	Zorn
Chang	MacDonald	Santana	

Nays—2

Lauwers McBroom

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4984, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2016 PA 336.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 336 **Yeas—30**

Alexander	Daley	McCann	Schmidt
Ananich	Geiss	McMorrow	Shirkey
Barrett	Hertel	Moss	Stamas

Bayer	Horn	Nesbitt	VanderWall
Brinks	Irwin	Outman	Victory
Bullock	Lucido	Polehanki	Wojno
Bumstead	MacDonald	Santana	Zorn
Chang	MacGregor		

Nays—7

Bizon	LaSata	McBroom	Theis
Johnson	Lauwers	Runestad	

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:
House Bill No. 4985, entitled
A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1b.
The question being on the passage of the bill,
The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 337 **Yeas—33**

Alexander	Geiss	McCann	Schmidt
Ananich	Hertel	McMorrow	Shirkey
Barrett	Horn	Moss	Stamas
Bayer	Irwin	Nesbitt	Theis
Bizon	LaSata	Outman	VanderWall
Brinks	Lucido	Polehanki	Victory
Bullock	MacDonald	Runestad	Wojno
Chang	MacGregor	Santana	Zorn
Daley			

Nays—4

Bumstead	Johnson	Lauwers	McBroom

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:
House Bill No. 5120, entitled
A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," (MCL 780.621 to 780.624) by adding section 1f.
The question being on the passage of the bill,
The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 338 **Yeas—35**

Alexander	Daley	MacGregor	Schmidt
Ananich	Geiss	McCann	Shirkey
Barrett	Hertel	McMorrow	Stamas
Bayer	Horn	Moss	Theis
Bizon	Irwin	Nesbitt	VanderWall
Brinks	Johnson	Outman	Victory
Bullock	LaSata	Polehanki	Wojno
Bumstead	Lucido	Runestad	Zorn
Chang	MacDonald	Santana	

Nays—2

Lauwers McBroom

Excused—1

Hollier

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

Protests

Senator McBroom, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill Nos. 4980, 4981, 4982, 4983, 4984, 4985, and 5120 and moved that the statement he made during the discussion of House Bill No. 4980 be printed as his reasons for voting "no."

The motion prevailed.

Senator McBroom's statement is as follows:

Thank you for the opportunity to address these bills. As members saw, I tried to make some significant changes to them that I thought were very essential. Across the Upper Peninsula, I have thousands of people who can't get back into the jobs they've had, can't get a job that's available, I have employers who are looking for people to work, and yet because of a DUI in the past, they are not able to do this. And yet, we are, in this package, granting expungements for DUIs for marijuana after just four years, but we're unwilling to do something to help people with DUIs related to alcohol. I find that to be exceptionally unjust and unfair.

Of course, yeah, we could run another bill later. We could work on this later, but I think most of us who have been here have recognized some issues do not sustain well on their own and need to be part of a larger effort. Right now, this opportunity is escaping us. It's slipping through our fingers to help thousands of people who at some point in their life did something dumb—a lot of times they were kids—and now their whole life is impacted by that. The whole message for why we're trying to do this expungement package could not be clearer than on somebody who got a DUI 20 years ago when they were 20 years old. To not make provision for that in this package is a terrible injustice and it's not good for the people who I represent.

That's why I'm voting "no" on this package. I encourage everyone to vote "no" and send this back until this is fixed. I understand the pressures from various groups who are passionate about alcohol-related offenses and want to just continually throw the book at anybody who ever happened to smell like alcohol in some situation, but that is so narrow in sight compared to all the other things that we're now offering expungement to, but not this. We're saying you're a leper if you've got a DUI from alcohol, but everything else we can forgive. I just can't see why we can't stand up today against that zealotry and make a fair push for this issue.

I encourage people to vote "no." Stand up for the workers around this state who are suffering and who can't get back to work because of some mistake they made decades ago. If you didn't like the compromise I offered, let's work out a different one. We can't get anything done if we let this opportunity slip through today.

The following bill was read a third time:

Senate Bill No. 681, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18e of chapter XIIA (MCL 712A.18e), as amended by 2018 PA 142, and by adding section 18t to chapter XIIA.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 339 **Yeas—34**

Alexander	Geiss	McBroom	Schmidt
Ananich	Hertel	McCann	Shirkey
Barrett	Horn	McMorrow	Stamas
Bayer	Irwin	Moss	Theis
Bizon	LaSata	Nesbitt	VanderWall
Brinks	Lauwers	Outman	Victory
Bullock	Lucido	Polehanki	Wojno
Chang	MacDonald	Santana	Zorn
Daley	MacGregor		

Nays—3

Bumstead	Johnson	Runestad

Excused—1

Hollier

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Irwin asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Irwin's statement is as follows:

While we just passed historic clean-slate legislation, this bill, Senate Bill No. 681 and its partner, Senate Bill No. 682, are what I call clean-slate for kids, which provide similar opportunities for a second chance for juveniles who commit offenses but are able to stay clean and stay out of trouble for years afterwards. So I appreciate your support on this legislation and I want to thank the leadership of the Senate for bringing this bill up. I think it's an important addition to the clean-slate package so that when both of these packages hopefully get passed and signed into law, we can be providing a second chance to both our adults but also our juveniles who have gone through the criminal justice system and deserve at least as much of a second chance.

The following bill was read a third time:

Senate Bill No. 682, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 28 of chapter XIIA (MCL 712A.28), as amended by 1998 PA 478.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 340 **Yeas—34**

Alexander	Geiss	McBroom	Schmidt
Ananich	Hertel	McCann	Shirkey
Barrett	Horn	McMorrow	Stamas
Bayer	Irwin	Moss	Theis
Bizon	LaSata	Nesbitt	VanderWall
Brinks	Lauwers	Outman	Victory
Bullock	Lucido	Polehanki	Wojno
Chang	MacDonald	Santana	Zorn
Daley	MacGregor		

Nays—3

Bumstead	Johnson	Runestad

Excused—1

Hollier

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Recess

Senator MacGregor moved that the Senate recess until 4:30 p.m.
The motion prevailed, the time being 1:04 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Gilchrist.

Recess

Senator MacGregor moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 4:31 p.m.

5:02 p.m.

The Senate was called to order by the President pro tempore, Senator Nesbitt.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:

Office of the Auditor General

September 22, 2020

Enclosed is a copy of the following report:

• Preliminary survey summary of the Community College Skilled Trades Equipment Program, Department of Labor and Economic Opportunity (186-0440-20).

Sincerely,
Doug Ringler
Auditor General

The preliminary survey summary was referred to the Committee on Oversight.

Messages from the Governor

The following message from the Governor was received on September 23, 2020, and read:

EXECUTIVE ORDER
No. 2020-182

Council on Climate Solutions

Department of Environment, Great Lakes, and Energy

The science is clear, and message urgent: the earth's climate is now changing faster than at any point in the history of modern civilization, and human activities are largely responsible for this change. Climate change already degrades Michigan's environment, hurts our economy, and threatens the health and well-being of our residents, with communities of color and low-income Michiganders suffering most. Inaction

over the last half-century has already wrought devastating consequences for future generations, and absent immediate action, these harmful effects will only intensify. But we can avoid some of the worst harms by quickly reducing greenhouse gas emissions and adapting nimbly to our changing environment.

At this moment, our state is reckoning with the failure of U.S. officials to adequately prepare for the challenges of a global pandemic. We cannot make the same mistake when it comes to impending climate crises of food instability, crop-killing droughts, deadly heatwaves, and intensifying weather events. Even now, fires of historic proportion are raging across the West Coast, offering a tragic reminder that climate change is a present-day threat and is not waiting for our attention.

To combat this climate crisis, Michigan must take comprehensive, coordinated, and aggressive action. That is why, with Executive Directive 2020-10, I directed the Department of Environment, Great Lakes, and Energy, through its Office of Climate and Energy, to develop, issue, and oversee the implementation of the MI Healthy Climate Plan ("Plan"), which will serve as the action plan for this state to reduce greenhouse gas emissions and transition toward economywide carbon neutrality.

The development and implementation of this Plan would benefit from the guidance of a council composed of individuals representing various sectors and communities throughout this state, who can use their diversity of experiences and expertise to ensure that Michigan pursues and achieves its carbon-neutrality goals as effectively and equitably as possible.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 places each principal department of state government under the supervision of the governor unless otherwise provided.

Section 8 of article 5 of the Michigan Constitution of 1963 obligates the governor to take care that the laws be faithfully executed.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Creating the Council on Climate Solutions

(a) The Council on Climate Solutions ("Council") is created as an advisory body within the Department of Environment, Great Lakes, and Energy ("Department").

(b) The Council must consist of:

(1) The director of the Department, or the director's designee from within the Department.

(2) The director of the Department of Agriculture and Rural Development, or the director's designee from within that department.

(3) The director of the Department of Labor and Economic Opportunity, or the director's designee from within that department.

(4) The director of the Department of Natural Resources, or the director's designee from within that department.

(5) The director of the Department of Transportation, or the director's designee from within that department.

(6) The director of the Department of Health and Human Services, or the director's designee from within that department.

(7) The chairperson of the Michigan Public Service Commission, or the chairperson's designee from within that agency.

(8) The Treasurer of the State of Michigan, or the Treasurer's designee from within the Department of the Treasury.

(9) The Chief Executive Officer of the Michigan Economic Development Corporation, or the Chief Executive Officer's designee from within that organization.

(10) 14 residents of this state appointed by the governor representing the range of sectors, experiences, and expertise relevant to this issue.

(c) Of the Council members initially appointed under section 1(b)(9), 4 members must be appointed for a term of four years, 4 members must be appointed for a term of three years, 4 members must be appointed for a term of 2 years, and 3 members must be appointed for a term of one year. After these initial appointments, a member of the Council appointed under section 1(b)(9) must be appointed for a term of four years.

(d) Council members appointed under section 1(b)(1) - (8) are ex officio members and serve at the pleasure of the governor.

(e) A vacancy on the Council created other than by the expiration of the term of a member of the Council must be filled in the same manner as the original appointment, for the remainder of the unexpired term. A member of the Council may be reappointed for additional terms.

2. Charge to the Council

(a) The Council must act in an advisory capacity to the governor and the Department, and must do the following:

(1) Advise the Department in formulating and overseeing the implementation of the MI Healthy Climate Plan, which will serve as the action plan for this state to reduce greenhouse gas emissions and transition toward economywide carbon neutrality. This work must include, but is not limited to:

(a) Identifying and recommending opportunities for the development and effective implementation of emissions-reduction strategies.

(b) Identifying solutions to resolve impact disparities across Michigan and recommending targeted solutions for communities disproportionately impacted by the changing climate.

(2) Provide other information or advice or take other actions as requested by the governor.

(b) The Council must report regularly to the governor on its activities.

3. Operations of the Council

(a) The Department must assist the Council in the performance of its duties and provide personnel to staff the Council. The budgeting, procurement, and related management functions of the Council will be performed under the direction and supervision of the director of the Department.

(b) The Council must adopt procedures, consistent with this order and applicable law, governing its organization and operations.

(c) The Council must comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.

(d) The governor must designate the chairperson of the Council.

(e) The Council may select from among its members a vice chairperson.

(f) The Council may select from among its members a secretary. Council staff must assist the secretary with recordkeeping responsibilities.

(g) The Council must meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Council.

(h) A majority of the members of the Council serving constitutes a quorum for the transaction of the business of the Council. The Council must act by a majority vote of its members.

(i) The Council may establish advisory workgroups composed of individuals or entities participating in Council activities or other members of the public as deemed necessary by the Council to assist it in performing its duties and responsibilities. The Council may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

(j) The Council may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public. The Council also may consult with outside experts to perform its duties, including experts in the private sector, organized labor, and government agencies, and at institutions of higher education.

(k) The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the director of the Department deems advisable and necessary, consistent with this order and applicable law, rules and procedures, subject to available funding.

(*l*) The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations must be received and used in accordance with law.

(m) Members of the Council must not receive additional compensation for participation on the Council. Members of the Council may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.

(n) Members of the Council must refer all legal, legislative, and media contacts to the Department.

4. Implementation

(a) All departments, agencies, committees, commissioners, and officers of this state must give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Council, consistent with applicable law.

(b) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.

(c) Nothing in this order should be construed to change the organization of the executive branch of state government or the assignment of functions among its units, in a manner requiring the force of law.

(d) Section 2(e) of Executive Order 2019-10 is rescinded, and now provides: "The Task Force shall complete its work and shall issue a final report detailing its findings and policy recommendations by December 31, 2020."

(e) Appointees to The Michigan Joint Task Force on Jail and Pretrial Incarceration appointed under section 1(c) of Executive Order 2019-10 must continue in their terms until December 31, 2020.

(f) If any portion of this order is found to be unenforceable, the rest of the order remains in effect.

(g) This order is effective upon filing.

Given under my hand and the Great Seal of the State of Michigan.

Date: September 23, 2020
Time: 1:45 p.m.

Gretchen Whitmer
[SEAL] Governor

By the Governor:
Jocelyn Benson
Secretary of State

The executive order was referred to the Committee on Government Operations.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator MacGregor moved that the Senate proceed to consideration of the following bill:

House Bill No. 5336

The motion prevailed.

The following bill was read a third time:

House Bill No. 5336, entitled

A bill to amend 2018 PA 16, entitled "Uniform commercial real estate receivership act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, and 25 (MCL 554.1011, 554.1012, 554.1013, 554.1014, 554.1015, 554.1016, 554.1017, 554.1021, 554.1022, 554.1023, 554.1024, 554.1025, 554.1026, 554.1028, 554.1029, 554.1030, 554.1031, and 554.1035).

The question being on the passage of the bill,

Senator Lucido offered the following substitute:

Substitute (S-2).

The substitute was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 341 **Yeas—37**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Horn	McCann	Shirkey
Bayer	Irwin	McMorrow	Stamas
Bizon	Johnson	Moss	Theis
Brinks	LaSata	Nesbitt	VanderWall
Bullock	Lauwers	Outman	Victory
Bumstead	Lucido	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn
Daley			

Nays—0

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to enact the uniform commercial real estate receivership act; to provide for the appointment of receivers to take possession of commercial real property of another and to receive, collect, care for, and dispose of the property or proceeds of the property; and to provide remedies related to the receiverships,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5490, entitled

A bill to amend 2016 PA 281, entitled "Medical marihuana facilities licensing act," by amending sections 102 and 206 (MCL 333.27102 and 333.27206), section 102 as amended by 2019 PA 3 and section 206 as amended by 2020 PA 32, and by adding section 206a.

The question being on the passage of the bill,

Senator Lucido offered the following substitute:

Substitute (S-2).

The substitute was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 342 **Yeas—36**

Alexander	Daley	MacDonald	Santana
Ananich	Geiss	MacGregor	Schmidt
Barrett	Hertel	McCann	Shirkey
Bayer	Horn	McMorrow	Stamas
Bizon	Irwin	Moss	Theis
Brinks	Johnson	Nesbitt	VanderWall
Bullock	LaSata	Outman	Victory
Bumstead	Lauwers	Polehanki	Wojno
Chang	Lucido	Runestad	Zorn

Nays—1

McBroom

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to license and regulate medical marihuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities; to allow certain licensees to process, test, or sell industrial hemp; to provide for the powers and duties of certain state and local governmental officers and entities; to create a medical marihuana licensing board; to provide for interaction with the statewide monitoring system for commercial marihuana transactions; to create an advisory panel; to provide immunity from prosecution for marihuana-related offenses for persons engaging in certain activities in compliance with this act; to prescribe civil fines and sanctions and provide remedies; to provide for forfeiture of contraband; to provide for taxes, fees, and assessments; and to require the promulgation of rules".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5491, entitled

A bill to amend 2018 IL 1, entitled "Michigan Regulation and Taxation of Marihuana Act," by amending sections 3 and 8 (MCL 333.27953 and 333.27958), section 8 as amended by 2020 PA 31, and by adding section 9a.

The question being on the passage of the bill,

The bill was passed, 3/4 of the members serving voting therefor, as follows:

Roll Call No. 343 **Yeas—37**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Horn	McCann	Shirkey
Bayer	Irwin	McMorrow	Stamas
Bizon	Johnson	Moss	Theis
Brinks	LaSata	Nesbitt	VanderWall
Bullock	Lauwers	Outman	Victory
Bumstead	Lucido	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn
Daley			

Nays—0

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An initiation of legislation to allow under state law the personal possession and use of marihuana by persons 21 years of age or older; to provide for the lawful cultivation and sale of marihuana and industrial hemp by persons 21 years of age or older; to permit the taxation of revenue derived from commercial marihuana facilities; to permit the promulgation of administrative rules; and to prescribe certain penalties for violations of this act. If not enacted by the Michigan State Legislature in accordance with the Michigan Constitution of 1963, the proposed legislation is to be voted on at the General Election, November 6, 2018,".

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Conference Reports

Senate Bill No. 927, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 17b, 201, 201a, 236, and 236a (MCL 388.1611, 388.1617b, 388.1801, 388.1801a, 388.1836, and 388.1836a), sections 11, 201, and 236 as amended by 2020 PA 146, section 17b as amended by 2007 PA 137, section 201a as amended by 2019 PA 52, and section 236a as amended by 2019 PA 62.

(For Conference Report, see p. 1508.)

The House of Representatives has adopted the report of the Committee of Conference.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senator MacGregor moved that Joint Rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

House Bill No. 5396

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5396, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The House of Representatives has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 5396, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2020 and September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

ARTICLE 1

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of agriculture and rural development for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT	
APPROPRIATION SUMMARY	
Full-time equated unclassified positions	6.0

		For Fiscal Year Ending Sept. 30, 2021
Full-time equated classified positions	519.0	
GROSS APPROPRIATION	**$**	**121,295,000**
Total interdepartmental grants and intradepartmental transfers		324,400
ADJUSTED GROSS APPROPRIATIONS	**$**	**120,970,600**
Federal revenues:		
Total federal revenues		13,129,500
Special revenue funds:		
Total local revenues		0
Total private revenues		71,300
Total other state restricted revenues		44,153,000
State general fund/general purpose	**$**	**63,616,800**
Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	27.0	
Unclassified salaries—FTE positions	6.0$	599,900
Accounting service center		1,033,800
Commissions and boards		23,800
Emergency management—FTEs	4.0	1,328,000
Executive direction—FTEs	23.0	3,262,800
Property management		734,100
GROSS APPROPRIATION	**$**	**6,982,400**
Appropriated from:		
Federal revenues:		
HHS, multiple grants		449,300
Special revenue funds:		
Agriculture licensing and inspection fees		44,300
Dairy and food safety fund		100,200
Feed control fund		8,100
Fertilizer control fund		10,000
Freshwater protection fund		60,900
Gasoline inspection and testing fund		25,000
Industry support funds		55,600
Michigan craft beverage council fund		8,800
Private forestland enhancement fund		15,600
Refined petroleum fund		20,000
Weights and measures regulation fees		5,000
State general fund/general purpose	**$**	**6,179,600**
Sec. 103. INFORMATION AND TECHNOLOGY		
Information technology services and projects	$	2,068,200
GROSS APPROPRIATION	**$**	**2,068,200**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from LARA (LCC), liquor quality testing fees		3,200
Special revenue funds:		
Agricultural preservation fund		200
Agriculture licensing and inspection fees		95,400
Dairy and food safety fund		62,200
Feed control fund		15,000
Freshwater protection fund		100
Gasoline inspection and testing fund		32,400
Michigan craft beverage council fund		500
State general fund/general purpose	**$**	**1,859,200**

		For Fiscal Year Ending Sept. 30, 2021
Sec. 104. FOOD AND DAIRY		
Full-time equated classified positions	139.0	
Food safety and quality assurance—FTEs	103.0$	18,276,600
Milk safety and quality assurance—FTEs	36.0	5,785,100
GROSS APPROPRIATION	**$**	**24,061,700**
Appropriated from:		
Federal revenues:		
HHS, multiple grants		2,753,000
USDA, multiple grants		137,200
Special revenue funds:		
Consumer and industry food safety education fund		242,500
Dairy and food safety fund		5,473,600
Industry food safety education fund		114,100
Marihuana regulatory fund		350,000
Marihuana regulation fund		350,000
State general fund/general purpose	**$**	**14,641,300**
Sec. 105. ANIMAL INDUSTRY		
Full-time equated classified positions	62.0	
Animal disease prevention and response—FTEs	62.0$	9,669,700
Indemnification - livestock depredation		15,000
Michigan animal agriculture alliance		3,000,000
GROSS APPROPRIATION	**$**	**12,684,700**
Appropriated from:		
Federal revenues:		
HHS, multiple grants		15,100
USDA, multiple grants		567,700
Special revenue funds:		
Agriculture licensing and inspection fees		72,100
Animal welfare fund		150,000
State general fund/general purpose	**$**	**11,879,800**
Sec. 106. PESTICIDE AND PLANT PEST MANAGEMENT		
Full-time equated classified positions	95.0	
Animal feed safety—FTEs	10.0$	2,097,700
Pesticide and plant pest management—FTEs	85.0	14,243,700
GROSS APPROPRIATION	**$**	**16,341,400**
Appropriated from:		
Federal revenues:		
Department of interior		101,800
EPA, multiple grants		566,200
HHS, multiple grants		391,800
USDA, multiple grants		717,700
Special revenue funds:		
Private - slow-the-spread foundation		21,300
Agriculture licensing and inspection fees		4,520,200
Commodity inspection fees		674,500
Feed control fund		1,392,400
Fertilizer control fund		1,338,200
Freshwater protection fund		157,500
Horticulture fund		40,000
Industrial hemp licensing and registration fund		602,900
Industry support funds		228,100
State general fund/general purpose	**$**	**5,588,800**

		For Fiscal Year Ending Sept. 30, 2021
Sec. 107. ENVIRONMENTAL STEWARDSHIP		
Full-time equated classified positions	65.5	
Agricultural preservation easement grants	$	1,900,000
Environmental stewardship - MAEAP—FTEs	25.0	11,697,900
Farmland and open space preservation—FTEs	10.0	1,581,100
Intercounty drain—FTEs	6.0	846,300
Migrant labor housing—FTEs	9.0	1,331,400
Qualified forest program—FTEs	9.0	2,662,800
Right-to-farm—FTEs	6.5	1,003,800
GROSS APPROPRIATION	**$**	**21,023,300**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDEGLE, biosolids		93,400
Federal revenues:		
Department of interior		96,300
EPA, multiple grants		562,700
USDA, multiple grants		1,322,300
Special revenue funds:		
Agricultural preservation fund		3,481,100
Freshwater protection fund		8,302,800
Migratory labor housing fund		140,100
Private forestland enhancement fund		1,080,100
State general fund/general purpose	**$**	**5,944,500**
Sec. 108. LABORATORY PROGRAM		
Full-time equated classified positions	108.5	
Central licensing and customer call center—FTEs	12.5$	1,447,800
Consumer protection program—FTEs	42.0	6,970,600
Laboratory services—FTEs	43.0	7,650,100
USDA monitoring—FTEs	11.0	1,683,900
GROSS APPROPRIATION	**$**	**17,752,400**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from LARA (LCC), liquor quality testing fees		227,800
Federal revenues:		
EPA, multiple grants		180,600
HHS, multiple grants		951,900
USDA, multiple grants		1,685,100
Special revenue funds:		
Agriculture licensing and inspection fees		348,800
Dairy and food safety fund		516,900
Feed control fund		191,700
Fertilizer control fund		24,900
Freshwater protection fund		47,300
Gasoline inspection and testing fund		1,415,700
Grain dealers fee fund		7,900
Industrial hemp licensing and registration fund		319,000
Migratory labor housing fund		29,400
Refined petroleum fund		3,396,700
Testing fees		353,900
Weights and measures regulation fees		737,700
State general fund/general purpose	**$**	**7,317,100**

		For Fiscal Year Ending Sept. 30, 2021
Sec. 109. AGRICULTURE DEVELOPMENT		
Full-time equated classified positions	22.0	
Agriculture development—FTEs	13.0$	4,752,700
Fair food network - double up food bucks		900,000
Food and agriculture investment program		2,470,600
Michigan craft beverage council—FTEs	3.0	936,600
Producer security/grain dealers—FTEs	5.0	747,000
Rural development fund grant program—FTE	1.0	2,004,800
GROSS APPROPRIATION	**$**	**11,811,700**
Appropriated from:		
Federal revenues:		
USDA, multiple grants		2,630,800
Special revenue funds:		
Private - commodity group revenue		50,000
Agriculture licensing and inspection fees		5,100
Grain dealers fee fund		699,700
Industry support funds		223,600
Michigan craft beverage council fund		891,200
Rural development fund		2,004,800
State general fund/general purpose	**$**	**5,306,500**
Sec. 110. FAIRS AND EXPOSITIONS		
County fairs, shows, and expositions	$	500,000
Fairs and racing		258,600
Licensed tracks - light horse racing		40,300
Light horse racing - breeders' awards		20,000
Purses and supplements - fairs/licensed tracks		708,300
Standardbred breeders' awards		345,900
Standardbred purses and supplements - licensed tracks		671,800
Standardbred sire stakes		275,000
Thoroughbred breeders' awards		368,600
Thoroughbred sire stakes		378,800
Thoroughbred supplements - licensed tracks		601,900
GROSS APPROPRIATION	**$**	**4,169,200**
Appropriated from:		
Special revenue funds:		
Agriculture equine industry development fund		3,669,200
State general fund/general purpose	**$**	**500,000**
Sec. 111. ONE-TIME ONLY APPROPRIATIONS		
Conservation reserve enhancement program	$	4,400,000
GROSS APPROPRIATION	**$**	**4,400,000**
Appropriated from:		
Special revenue funds:		
State general fund/general purpose	**$**	**4,400,000**

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $107,769,800.00 and state spending from state sources

to be paid to local units of government for fiscal year 2020-2021 is $8,800,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT		
Agriculture preservation easement grants	$	1,900,000
Environmental stewardship/MAEAP		4,100,000
Qualified forest program		1,400,000
Rural development fund grant program		1,400,000
TOTAL	**$**	**8,800,000**

Sec. 202. The appropriations authorized under part 1 and this part are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in part 1 and this part:

(a) "Department" means the department of agriculture and rural development.

(b) "Director" means the director of the department.

(c) "Fiscal agencies" means the Michigan house fiscal agency and the Michigan senate fiscal agency.

(d) "FTE" means full-time equated.

(e) "IDG" means interdepartmental grant.

(f) "MAEAP" means the Michigan agriculture environmental assurance program.

(g) "MDEGLE" means the Michigan department of environment, Great Lakes, and energy.

(h) "Subcommittees" means all members of the subcommittees of the house and senate appropriations committees with jurisdiction over the budget for the department.

(i) "TB" means tuberculosis.

(j) "USDA" means the United States Department of Agriculture.

Sec. 204. (1) The departments and agencies receiving appropriations in part 1 shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement, and shall include placement of reports on an internet site.

(2) In fulfilling the reporting requirements of this part, the department shall notify report recipients when reports are posted to the department website.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 207. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons

of the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $3,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $2,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for each department or agency:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the senate and house appropriations chairs, the subcommittees, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2020 and September 30, 2021.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the agency's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 is $13,605,700.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $6,528,200.00. Total agency appropriations for retiree health care legacy costs are estimated at $7,077,500.00.

Sec. 215. The department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the senate or house or a member's staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the senate and house subcommittees on agriculture and rural development, the joint committee on administrative rules, and the senate and house fiscal agencies.

DEPARTMENTAL ADMINISTRATION AND SUPPORT

Sec. 301. (1) The department may establish a fee schedule and collect fees for the following work activities and services:

(a) Pesticide and plant pest management propagation and certification of virus-free foundation stock.

(b) Fruit and vegetable inspection and grading services at shipping and termination points and processing plants.

(c) Laboratory support analyses of food, livestock, and agricultural products for disease, foreign products for disease, toxic materials, foreign substances, and quality standards.

(d) Laboratory support test samples for other state and local agencies and public or private organizations.

(2) The department may receive and expend revenue from the fees authorized under subsection (1), subject to appropriation, for the purpose of recovering expenses associated with the work activities and services described in subsection (1). Fee revenue collected by the department under subsection (1) shall not lapse to the state general fund at the end of the fiscal year but shall carry forward for appropriation by the legislature in the subsequent fiscal year.

(3) The department shall notify the subcommittees, the fiscal agencies, and the state budget office 30 days prior to proposing changes in fees authorized under this section or under section 5 of 1915 PA 91, MCL 285.35.

(4) On or before February 1 of each year, the department shall provide a report to the subcommittees, the fiscal agencies, and the state budget office detailing all the fees charged by the department under the authorization provided in this section, including, but not limited to, rates, number of individuals paying each fee, and the revenue generated by each fee in the previous fiscal year.

Sec. 302. (1) The department may contract with or provide grants to local units of government, institutions of higher education, or nonprofit organizations to support activities authorized by appropriations in part 1. As used in this section, contracts and grants include, but are not limited to, contracts for delivery of groundwater/freshwater programs, MAEAP technical assistance, forest management, invasive species monitoring, wildlife risk mitigation, grants promoting proper pesticide disposal, and research grants for the purpose of enhancing the agricultural industries in this state.

(2) The department shall provide notice of contracts or grants authorized under this section to the subcommittees, the fiscal agencies, and the state budget office not later than 7 days before the department notifies contract or grant recipients.

FOOD AND DAIRY

Sec. 401. (1) The department shall report on the previous fiscal year's activities of the food and dairy division. The report shall include information on activities and outcomes of the dairy safety and inspection program, the food safety inspection program, the foodborne illness and emergency response program, and the food service program.

(2) The report shall include information on significant foodborne outbreaks and emergencies, including any significant enforcement actions taken related to food safety during the prior calendar year.

(3) The report shall be transmitted to the subcommittees, the fiscal agencies, and the state budget office and posted to the department's website on or before April 1 of each year.

ANIMAL INDUSTRY

Sec. 451. From the funds appropriated in part 1 for bovine TB, the department shall pay for all whole herd testing costs and individual animal testing costs in the modified accredited zone to maintain split-state status requirements. These costs include indemnity and compensation for injury causing death or downer to animals.

Sec. 452. (1) The department shall report on the previous calendar year's activities of the animal industry division. The report shall be transmitted to the subcommittees, the fiscal agencies, and the state budget office and posted to the department's website on or before April 1 of each year.

(2) The department shall include in the report all indemnification payments for livestock depredation made in the previous calendar year and shall include all of the following:

(a) The reason for the indemnification.

(b) The amount of the indemnification.

(c) The person for whom the indemnification was paid.

Sec. 454. The department shall use its resources to collaborate with the USDA to monitor bovine TB, consistent with the April 2019 memoranda of understanding between the department and the USDA.

Sec. 457. (1) On or before October 15, 2020, the department shall provide to the subcommittees, the fiscal agencies, and the state budget office a report on bovine TB status and department activities.

(2) For each fiscal quarter following the report required in subsection (1), the department shall provide an update to the subcommittees, the fiscal agencies, and the state budget office. The quarterly update reports shall identify significant impacts to the program, including new incidence of bovine TB in this state, department activity associated with specific new incidence of bovine TB, any changes in USDA requirements or movement orders, and information and data on wildlife risk mitigation plan implementation in the modified accredited zone; implementation of a movement certificate process; progress toward annual surveillance test requirements; efforts to work with slaughter facilities in this state, as well as those that slaughter a significant number of animals from this state; educational programs and information for this state's livestock community; and any other item the legislature should be aware of that will promote or hinder efforts to achieve bovine TB-free status for this state.

Sec. 458. From the funds appropriated in part 1 for Michigan animal agriculture alliance, the department shall work with animal industry representatives and state research universities to establish an animal research grant program.

PESTICIDE AND PLANT PEST MANAGEMENT

Sec. 501. The department shall report on the previous calendar year's activities of the pesticide and plant pest management division. The report shall be transmitted to the subcommittees, the fiscal agencies, and the state budget office and posted to the department's website on or before April 1 of each year.

ENVIRONMENTAL STEWARDSHIP

Sec. 601. The funds appropriated in part 1 for environmental stewardship/MAEAP shall be used to support department agriculture pollution prevention programs, including groundwater and freshwater protection programs under part 87 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8701 to 324.8717, and technical assistance in implementing conservation grants available under the federal farm bill of 2014 and the federal farm bill of 2018.

Sec. 602. The department shall report on the previous calendar year's activities of the environmental stewardship division. The report shall be transmitted to the subcommittees, the fiscal agencies, and the state budget office and posted to the department's website on or before April 1 of each year.

Sec. 604. The department may receive and expend federal revenues up to a total of $1,000,000.00 in excess of the federal revenue appropriated in section 107 of part 1 for environmental stewardship and MAEAP activities. The department shall notify the subcommittees, the fiscal agencies, and the state budget office prior to expending federal revenues authorized under this section.

Sec. 608. (1) The appropriations in part 1 for the qualified forest program are for the purpose of increasing the knowledge of nonindustrial private forestland owners of sound forest management practices and increasing the amount of commercial timber production from those lands.

(2) The department shall work in partnership with stakeholder groups and other state and federal agencies to increase the active management of nonindustrial private forestland to foster the growth of Michigan's timber product industry.

LABORATORY PROGRAM

Sec. 651. The department shall report on the previous calendar year's activities of the laboratory division. The report shall be transmitted to the subcommittees, the fiscal agencies, and the state budget office and posted to the department's website on or before April 1 of each year.

AGRICULTURE DEVELOPMENT

Sec. 701. (1) From the funds appropriated in part 1 for the food and agriculture investment program, the department shall establish and administer a food and agriculture investment program.

(2) The food and agriculture investment program shall expand the Michigan food and agriculture sector, grow Michigan exports, promote the development of value-added agricultural production, food hubs, food incubators, and community-based processing facilities, and the expansion of farm markets and urban agriculture, including promotion of hoop houses, and increase food processing activities within the state by accelerating projects and infrastructure development that support growth in the food and agriculture processing industry.

(3) In addition to the funds appropriated in part 1, the department may receive and expend funds received from outside sources for the food and agriculture investment program.

(4) Before the allocation of funding, all projects shall receive approval from the Michigan commission of agriculture and rural development, except for projects selected through a competitive process by a joint evaluation committee selected by the director and consisting of representatives that have agriculture, business, and economic development expertise. Projects funded through the food and agriculture investment program will be required to have a grant agreement that outlines milestones and activities that must be met in order to receive a disbursement of funds. Projects must also identify measurable project outcomes.

(5) The department shall include in the agriculture development annual report a report on the food and agriculture investment program for the previous fiscal year that includes a listing of the grantees, award amounts, match funding, project locations, and project outcomes.

(6) The food and agriculture investment program shall be administered by the department and provide support for food and agriculture projects that will enable growth in the industry and this state's economy.

(7) The unexpended funds appropriated in part 1 for the food and agriculture investment program are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to promote and expand the Michigan food and agriculture sector, grow Michigan exports, and increase food processing activities within the state.

(b) The project will be funded in accordance with this section and the project guidelines approved by the Michigan commission of agriculture and rural development prior to an award.

(c) The estimated cost of this project is identified in the appropriation line item.

(d) The tentative completion date for the work project is September 30, 2023.

(8) The department may expend money from the funds appropriated in part 1 for the food and agriculture investment program, including all of the following activities:

(a) Grants.

(b) Loans or loan guarantees.

(c) Infrastructure development.

(d) Other economic assistance.

(e) Program administration.

(f) Export assistance.

(9) The department shall expend no more than 5% from the funds appropriated in part 1 for the food and agriculture investment program for administrative purposes.

Sec. 702. The department shall work with the rural development fund board to establish a process and criteria for funding projects as well as establishing metrics and measurable outcomes for the program. Funds appropriated from the rural development fund shall be used in accordance with the provisions of the rural development fund act, 2012 PA 411, MCL 286.941 to 286.947.

Sec. 703. (1) The department shall work with the department of health and human services to do all of the following:

(a) Notify recipients of food assistance program benefits that food assistance program benefits can be accessed at many farmer's markets in this state with bridge cards.

(b) Notify recipients of food assistance program benefits about the double up food bucks program that is administered by the fair food network. Food assistance program recipients shall receive information about the double up food bucks program, including information that explains that when program recipients spend up to $20.00 at participating farmer's markets and grocery stores, the recipient can receive an additional $20.00 to buy Michigan produce.

(2) The department shall work with the fair food network to expand access to the double up food bucks program in each of the state's counties with grocery stores or farmer's markets that meet the program's eligibility requirements.

(3) On or before June 1, 2021, the department shall submit a report on activities and outcomes of the double up food bucks program to the subcommittees and the fiscal agencies. The report shall contain all of the following:

(a) Counties in this state with participating double up food bucks vendors, the number of vendors by county, and the name and location of vendors, as of May 1, 2020.

(b) Counties in this state with participating double up food bucks vendors, the number of vendors by county, and the name of location of vendors, as of May 1, 2021. The report shall highlight counties and vendors added to the program since May 1, 2020.

(c) Number of individuals participating in the program, by county.

(d) A breakdown of program participation by county and by day of week.

(4) The report required under subsection (3) shall also include a discussion of program evaluation criteria, as well as recommendation of a reporting metric for tracking health outcomes of program participants.

Sec. 706. (1) The department shall report on the previous calendar year's activities of the agriculture development division. The report shall be transmitted to the subcommittees, the fiscal agencies, and the state budget office and posted to the department's website on or before April 1 of each year.

(2) The report shall include the following information on any grants awarded during the prior fiscal year:

(a) The name of the grantee.

(b) The amount of the grant.

(c) The purpose of the grant, including measurable outcomes.

(d) Additional state, federal, private, or local funds contributed to the grant project.

(e) The completion date of grant-funded activities.

(3) The report shall include the following information on the Michigan craft beverage council established under section 303 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1303:

(a) Council activities and accomplishments for the previous fiscal year.

(b) Council expenditures for the previous fiscal year by category of administration, industry support, research and education grants, and promotion and consumer education.

(c) Grants awarded during the previous fiscal year and the results of research grant projects completed during the previous fiscal year.

FAIRS AND EXPOSITIONS

Sec. 801. All appropriations from the agriculture equine industry development fund shall be spent on equine-related purposes. No funds from the agriculture equine industry development fund shall be expended for nonequine-related purposes without prior approval of the legislature.

Sec. 802. From the funds appropriated in part 1 from agriculture equine industry development funds, available revenue shall be allocated in the following priority order:

(a) To support all administrative, contractual, and regulatory costs incurred by the department and the Michigan gaming control board.

(b) Up to $495,000.00 shall be allocated to the purses and supplements – fairs/licensed tracks line item.

(c) Any remaining funds collected through September 30, 2021, after the obligations in subdivisions (a) and (b) have been met, shall be prorated equally among the supplements, breeders' awards, and sire stakes awards to eligible race meeting licensees in accordance with section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320.

Sec. 805. (1) The department shall establish and administer a county fairs, shows, and expositions grant program. The program shall have the following objectives:

(a) Assist in the promotion of building improvements or other capital improvements at county fairgrounds of this state.

(b) Provide financial support, promotion, prizes, and premiums of equine, livestock, and other agricultural commodity expositions in this state.

(2) The department shall award grants on a competitive basis to county fairs or other organizations from the funds appropriated in part 1 for county fairs, shows, and expositions grants. Grantees will be required to provide a 50% cash match with grant awards and identify measurable project outcomes. A county fair organization that received a county fair capital improvement grant in the prior fiscal year shall not receive a grant from the appropriation in part 1.

(3) From the amount appropriated in part 1 for county fairs, shows, and expositions, up to $25,000.00 shall be expended for the purpose of financial support, promotion, prizes, and premiums of equine, livestock, and other agricultural commodity expositions in this state, and festivals.

(4) All fairs receiving grants under this section shall provide a report to the department on the financial impact resulting from the capital improvement project on both fair and nonfair events. These reports are due for 3 years immediately following the completion of the capital improvement project.

(5) The department shall identify criteria, evaluate applications, and provide recommendations to the director for final approval of grant awards.

(6) The department may expend money from the funds appropriated in part 1 for the county fairs, shows, and expositions grants for administering the program.

(7) The unexpended portion of the county fairs, shows, and expositions grants is considered a work project appropriation in accordance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a. The following apply to the project:

(a) The purpose of the project is to support building improvements or other capital improvements at county fairgrounds of this state.

(b) All grants will be distributed in accordance with this section and the grant guidelines published prior to the request for proposals.

(c) The estimated cost of the project is identified in the appropriation line item.

(d) The tentative completion date for the work project is September 30, 2023.

(8) The department shall provide a year-end report on the county fairs, shows, and expositions grants no later than December 1, 2021 to the subcommittees, the fiscal agencies, and the state budget director that includes a listing of the grantees, award amounts, match funding, and project outcomes.

ONE-TIME BASIS ONLY APPROPRIATIONS

Sec. 901. The unexpended funds appropriated in part 1 for the conservation reserve enhancement program are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to promote the adoption of best practices on agricultural lands in order to address algal blooms in the western Lake Erie basin, as well as reducing nonpoint source pollution in the Saginaw Bay, River Raisin, and Lake Macatawa watersheds.

(b) The project will be accomplished by the federal government, conservation districts in the state, and Michigan farmers.

(c) The estimated cost of this project is $4,400,000.00.

(d) The tentative completion date for this work project is September 30, 2025.

ARTICLE 2

DEPARTMENT OF CORRECTIONS

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of corrections for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF CORRECTIONS		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	16.0	
Full-time equated classified positions	13,686.8	
GROSS APPROPRIATION	**$**	**2,060,788,400**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**2,060,788,400**
Federal revenues:		
Total federal revenues		196,370,900
Special revenue funds:		
Total local revenues		9,680,600
Total private revenues		0
Total other state restricted revenues		45,478,500
State general fund/general purpose	**$**	**1,809,258,400**
Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated unclassified positions	16.0	
Full-time equated classified positions	329.0	
Unclassified salaries—FTEs	16.0$	1,971,300
Administrative hearings officers		3,200,300
Budget and operations administration—FTEs	241.0	34,669,500
Compensatory buyout and union leave bank		100
County jail reimbursement program		14,814,600
Employee wellness programming—FTEs	6.0	1,190,600
Equipment and special maintenance		1,559,700
Executive direction—FTEs	21.0	4,575,800
Judicial data warehouse user fees		50,600
New custody staff training		13,850,100
Prison industries operations—FTEs	61.0	10,137,300

		For Fiscal Year Ending Sept. 30, 2021
Property management		2,455,100
Prosecutorial and detainer expenses		4,801,000
Sheriffs' coordinating and training office		100,000
Worker's compensation		9,714,400
GROSS APPROPRIATION	**$**	**103,090,400**
Appropriated from:		
Federal revenues:		
DOJ, prison rape elimination act grant		674,700
Special revenue funds:		
Correctional industries revolving fund		10,137,300
Correctional industries revolving fund 110		721,600
Jail reimbursement program fund		5,900,000
Local corrections officer training fund		100,000
Program and special equipment fund		100
State general fund/general purpose	**$**	**85,556,700**
Sec. 103. OFFENDER SUCCESS ADMINISTRATION		
Full-time equated classified positions	340.4	
Community corrections comprehensive plans and services	$	13,198,100
Education/skilled trades/career readiness programs—FTEs	263.4	38,687,000
Enhanced food technology program—FTEs	12.0	1,750,000
Goodwill flip the script		1,250,000
Offender success community partners		14,500,000
Offender success federal grants		751,000
Offender success programming		16,772,800
Offender success services—FTEs	65.0	17,880,600
Public safety initiative		4,000,000
Residential probation diversions		16,575,500
GROSS APPROPRIATION	**$**	**125,365,000**
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		302,500
DOJ, prisoner reintegration		751,000
Federal education funding		1,579,900
Special revenue funds:		
Program and special equipment fund		14,326,000
State general fund/general purpose	**$**	**108,405,600**
Sec. 104. FIELD OPERATIONS ADMINISTRATION		
Full-time equated classified positions	1,874.5	
Criminal justice reinvestment	$	3,748,400
Field operations—FTEs	1,843.5	222,516,700
Parole board operations—FTEs	31.0	3,887,900
Parole/probation services		940,000
Residential alternative to prison program		1,500,000
GROSS APPROPRIATION	**$**	**232,593,000**
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		62,400
Special revenue funds:		
Local - community tether program reimbursement		275,000
Reentry center offender reimbursements		10,000

		For Fiscal Year Ending Sept. 30, 2021
Supervision fees		6,630,500
Supervision fees set-aside		940,000
State general fund/general purpose	**$**	**224,675,100**
Sec. 105. CORRECTIONAL FACILITIES ADMINISTRATION		
Full-time equated classified positions	670.0	
Central records—FTEs	43.0$	4,821,000
Correctional facilities administration—FTEs	37.0	6,624,300
Housing inmates in federal institutions		511,000
Inmate housing fund		100
Inmate legal services		290,900
Leased beds and alternatives to leased beds		100
Prison food service—FTEs	346.0	72,211,100
Prison store operations—FTEs	33.0	3,411,300
Public works program		1,000,000
Transportation—FTEs	211.0	30,993,600
GROSS APPROPRIATION	**$**	**119,863,400**
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		5,130,200
DOJ-BOP, federal prisoner reimbursement		411,000
SSA-SSI, incentive payment		272,000
Special revenue funds:		
Correctional industries revolving fund 110		592,800
Public works user fees		1,000,000
Resident stores		3,411,300
State general fund/general purpose	**$**	**109,046,100**
Sec. 106. HEALTH CARE		
Full-time equated classified positions	1,469.3	
Clinical complexes—FTEs	1,033.3$	149,096,900
Health care administration—FTEs	17.0	3,477,600
Healthy Michigan plan administration—FTEs	12.0	998,900
Hepatitis C treatment		8,810,700
Interdepartmental grant to health and human services, eligibility specialists		120,200
Mental health and substance abuse treatment services—FTEs	407.0	52,410,700
Prisoner health care services		94,793,600
Vaccination program		691,200
GROSS APPROPRIATION	**$**	**310,399,800**
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		28,396,500
DOJ, Office of Justice Programs, RSAT		250,200
Federal revenues and reimbursements		397,300
Special revenue funds:		
Prisoner health care copayments		257,200
State general fund/general purpose	**$**	**281,098,600**
Sec. 107. CORRECTIONAL FACILITIES		
Full-time equated classified positions	9,003.6	
Alger Correctional Facility - Munising—FTEs	259.0$	32,147,800
Baraga Correctional Facility - Baraga—FTEs	295.8	38,293,600

		For Fiscal Year Ending Sept. 30, 2021
Bellamy Creek Correctional Facility - Ionia—FTEs	392.2	47,064,600
Carson City Correctional Facility - Carson City—FTEs	421.4	51,524,800
Central Michigan Correctional Facility - St. Louis—FTEs	386.6	48,832,400
Charles E. Egeler Correctional Facility - Jackson—FTEs	386.6	48,325,300
Chippewa Correctional Facility - Kincheloe—FTEs	443.6	54,332,400
Cooper Street Correctional Facility - Jackson—FTEs	254.6	31,163,600
Detroit Detention Center—FTEs	69.1	9,405,600
Detroit Reentry Center—FTEs	237.9	8,714,700
Earnest C. Brooks Correctional Facility - Muskegon—FTEs	248.2	32,092,300
G. Robert Cotton Correctional Facility - Jackson—FTEs	395.0	47,914,500
Gus Harrison Correctional Facility - Adrian—FTEs	443.6	53,099,400
Ionia Correctional Facility - Ionia—FTEs	288.3	36,446,100
Kinross Correctional Facility - Kincheloe—FTEs	258.6	34,651,600
Lakeland Correctional Facility - Coldwater—FTEs	275.4	34,983,600
Macomb Correctional Facility - New Haven—FTEs	292.8	36,921,000
Marquette Branch Prison - Marquette—FTEs	319.7	40,083,300
Michigan Reformatory - Ionia—FTEs	319.8	37,738,600
Muskegon Correctional Facility - Muskegon—FTEs	207.0	27,793,300
Newberry Correctional Facility - Newberry—FTEs	198.1	25,754,600
Oaks Correctional Facility - Eastlake—FTEs	289.4	36,985,500
Parnall Correctional Facility - Jackson—FTEs	266.1	31,046,400
Richard A. Handlon Correctional Facility - Ionia—FTEs	255.7	32,734,500
Saginaw Correctional Facility - Freeland—FTEs	276.9	35,349,600
Special Alternative Incarceration Program - Cassidy Lake—FTEs	38.0	6,452,400
St. Louis Correctional Facility - St. Louis—FTEs	306.6	40,087,200
Thumb Correctional Facility - Lapeer—FTEs	283.6	35,716,400
Womens Huron Valley Correctional Complex - Ypsilanti—FTEs	505.1	63,278,200
Woodland Correctional Facility - Whitmore Lake—FTEs	277.9	37,696,900
Northern region administration and support—FTEs	43.0	4,501,700
Southern region administration and support—FTEs	68.0	22,160,700
GROSS APPROPRIATION	**$**	**1,123,292,600**
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		157,108,400
DOJ, state criminal assistance program		1,034,800
Special revenue funds:		
Local revenues		9,405,600
State restricted fees, revenues, and reimbursements		102,100
State general fund/general purpose	**$**	**955,641,700**
Sec. 108. INFORMATION TECHNOLOGY		
Information technology services and projects	$	31,184,200
GROSS APPROPRIATION	**$**	**31,184,200**
Appropriated from:		
Special revenue funds:		
Correctional industries revolving fund 110		182,000
Program and special equipment fund		452,800
Supervision fees set-aside		714,800
State general fund/general purpose	**$**	**29,834,600**
Sec. 109. ONE-TIME APPROPRIATIONS		
John Does v MDOC settlement agreement	$	15,000,000
GROSS APPROPRIATION	**$**	**15,000,000**
Appropriated from:		
State general fund/general purpose	**$**	**15,000,000**

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $1,932,586,900.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $123,330,800.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS		
County jail reimbursement program	$	14,814,600
Community corrections comprehensive plans and services		13,198,100
Field Operations		68,441,500
Leased beds and alternatives to leased beds		100
Public safety initiative		4,000,000
Prosecutorial and detainer expenses		4,801,000
Residential alternative to prison program		1,500,000
Residential probation diversions		16,575,500
TOTAL	**$**	**123,330,800**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from accommodations provided for inmates who are participating in programs of the facility.

(b) "Cost per prisoner" means the sum total of the funds appropriated under part 1 for the following, divided by the projected prisoner population in fiscal year 2020-2021:

(*i*) New custody staff training.

(*ii*) Education/skilled trades/career readiness programs.

(*iii*) Offender success programming.

(*iv*) Central records.

(*v*) Correctional facilities administration.

(*vi*) Inmate legal services.

(*vii*) Prison food service.

(*viii*) Prison store operations.

(*ix*) Transportation.

(*x*) Clinical complexes.

(*xi*) Hepatitis C treatment.

(*xii*) Mental health and substance abuse treatment services.

(*xiii*) Prisoner health care services.

(*xiv*) Vaccination program.

(*xv*) Correctional facilities.

(*xvi*) Northern and southern region administration and support.

(c) "Department" or "MDOC" means the Michigan department of corrections.

(d) "DOJ" means the United States Department of Justice.

(e) "DOJ-BOP" means the DOJ Bureau of Prisons.

(f) "EPIC program" means the department's effective process improvement and communications program.

(g) "Evidence-based" means a decision-making process that integrates the best available research, clinician expertise, and client characteristics.

(h) "Federally qualified health center" means that term as defined in section 1396d(*l*)(2)(B) of the social security act, 42 USC 1396d.

(i) "FTE" means full-time equated.

(j) "Goal" means the intended or projected result of a comprehensive corrections plan or community corrections program to reduce repeat offending, criminogenic and high-risk behaviors, prison commitment rates, the length of stay in a jail, or to improve the utilization of a jail.

(k) "Jail" means a facility operated by a local unit of government for the physical detention and correction of persons charged with or convicted of criminal offenses.

(*l*) "MDHHS" means the Michigan department of health and human services.

(m) "Medicaid benefit" means a benefit paid or payable under a program for medical assistance under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

(n) "Objective risk and needs assessment" means an evaluation of an offender's criminal history; the offender's noncriminal history; and any other factors relevant to the risk the offender would present to the public safety, including, but not limited to, having demonstrated a pattern of violent behavior, and a criminal record that indicates a pattern of violent offenses.

(o) "OCC" means the office of community corrections.

(p) "Offender eligibility criteria" means particular criminal violations, state felony sentencing guidelines descriptors, and offender characteristics developed by advisory boards and approved by local units of government that identify the offenders suitable for community corrections programs funded through the office of community corrections.

(q) "Offender success" means that an offender has, with the support of the community, intervention of the field agent, and benefit of any participation in programs and treatment, made an adjustment while at liberty in the community such that he or she has not been sentenced to or returned to prison for the conviction of a new crime or the revocation of probation or parole.

(r) "Offender target populations" means felons or misdemeanants who would likely be sentenced to imprisonment in a state correctional facility or jail, who would not likely increase the risk to the public safety based on an objective risk and needs assessment that indicates that the offender can be safely treated and supervised in the community.

(s) "Offender who would likely be sentenced to imprisonment" means either of the following:

(*i*) A felon or misdemeanant who receives a sentencing disposition that appears to be in place of incarceration in a state correctional facility or jail, according to historical local sentencing patterns.

(*ii*) A currently incarcerated felon or misdemeanant who is granted early release from incarceration to a community corrections program or who is granted early release from incarceration as a result of a community corrections program.

(t) "Programmatic success" means that the department program or initiative has ensured that the offender has accomplished all of the following:

(*i*) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities.

(*ii*) Obtained housing.

(*iii*) Obtained a state identification card.

(u) "Recidivism" means that term as defined in section 1 of 2017 PA 5, MCL 798.31.

(v) "RSAT" means residential substance abuse treatment.

(w) "Serious emotional disturbance" means that term as defined in section 100d(2) of the mental health code, 1974 PA 258, MCL 330.1100d.

(x) "Serious mental illness" means that term as defined in section 100d(3) of the mental health code, 1974 PA 258, MCL 330.1100d.

(y) "SSA" means the United States Social Security Administration.

(z) "SSA-SSI" means SSA supplemental security income.

Sec. 204. The department shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The department shall not take disciplinary action against an employee of the department in the state classified civil service, or a prisoner, for communicating with a member of the legislature or his or her staff, unless the communication is prohibited by law and the department is exercising its authority as provided by law.

Sec. 207. The department shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by the department to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees and the senate and house fiscal agencies.

Sec. 210. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $2,500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $325,994,500.00. From this amount, total department appropriations for pension-related legacy costs are estimated at $156,416,200.00. Total department appropriations for retiree health care legacy costs are estimated at $169,578,300.00.

Sec. 215. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. (1) On a quarterly basis, the department shall report on the number of full-time equated positions in pay status by civil service classification, including the number of full-time equated positions in pay status by civil service classification for each correctional facility, to the senate and house appropriations committees, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. This report must include the following:

(a) A comparison by line item of the number of full-time equated positions authorized from funds appropriated in part 1 to the actual number of full-time equated positions employed by the department at the end of the reporting period.

(b) A detailed accounting of all vacant positions that exist within the department.

(c) A detailed accounting of all correction officer positions at each correctional facility, including positions that are filled and vacant positions, by facility.

(d) A detailed accounting of all vacant positions that are health care-related.

(e) A detailed accounting of vacant positions that are being held open for temporarily nonactive employees.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office, the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

(3) As used in this section, "vacant position" means any position that has not been filled at any time during the past 12 calendar months.

Sec. 217. Any coronavirus relief funds appropriated in part 1 for which expenditures have not been incurred as of December 30, 2020 are unappropriated and immediately reappropriated for deposit into the unemployment compensation fund established under section 26 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.26, to support costs incurred from March 1, 2020 through December 30, 2020 due to the COVID-19 public health emergency.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. (1) Any contract for prisoner telephone services entered into after the effective date of this section shall include a condition that fee schedules for prisoner telephone calls, including rates and any surcharges other than those necessary to meet program and special equipment costs, be the same as fee schedules for calls placed from outside of correctional facilities.

(2) Revenues appropriated and collected for program and special equipment funds shall be considered state restricted revenue. Funding shall be used for prisoner programming, special equipment, and security projects. Unexpended funds remaining at the close of the fiscal year shall not lapse to the general fund but shall be carried forward and be available for appropriation in subsequent fiscal years.

(3) The department shall submit a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office by February 1 outlining revenues and expenditures from program and special equipment funds. The report shall include all of the following:

(a) A list of all individual projects and purchases financed with program and special equipment funds in the immediately preceding fiscal year, the amounts expended on each project or purchase, and the name of each vendor from which the products or services were purchased.

(b) A list of planned projects and purchases to be financed with program and special equipment funds during the current fiscal year, the amounts to be expended on each project or purchase, and the name of each vendor from which the products or services will be purchased.

(c) A review of projects and purchases planned for future fiscal years from program and special equipment funds.

Sec. 220. The department may charge fees and collect revenues in excess of appropriations in part 1 not to exceed the cost of offender services and programming, employee meals, parolee loans, academic/vocational services, custody escorts, compassionate visits, union steward activities, and public works programs and services provided to local units of government or private nonprofit organizations. The revenues and fees collected are appropriated for all expenses associated with these services and activities.

Sec. 221. The department shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 222. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the senate and house subcommittees on corrections, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 225. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 239. It is the intent of the legislature that the department establish and maintain a management-to-staff ratio of not more than 1 supervisor for each 8 employees at the department's central office in Lansing and at both the northern and southern region administration offices.

Sec. 247. The department shall provide the state court administrative office data sufficient to administer the swift and sure sanctions program.

Sec. 248. At the May 2021 consensus revenue estimating conference, the senate and house fiscal agencies and the state budget director, or state treasurer, shall establish a projected prisoner population for fiscal year 2021-2022, and a projected number of available beds based on the population projection.

DEPARTMENTAL ADMINISTRATION AND SUPPORT

Sec. 301. For 3 years after a felony offender is released from the department's jurisdiction, the department shall maintain the offender's file on the offender tracking information system and make it publicly accessible in the same manner as the file of the current offender. However, the department shall immediately remove the offender's file from the offender tracking information system upon determination that the offender was wrongfully convicted and the offender's file is not otherwise required to be maintained on the offender tracking information system.

Sec. 302. (1) From the funds appropriated in part 1, the department shall submit a report by March 1 on the department's staff retention strategies to the senate and house appropriations subcommittees on corrections, the senate and house committees on oversight, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The report must include, but not be limited to, the following:

(a) The department's strategies on how to improve employee engagement, how to improve employee wellness, and how to offer additional training and professional development for employees, including metrics the department is using to measure success of employee wellness programming.

(b) Mechanisms by which the department receives employee feedback in areas under subdivision (a) and how the department considers suggestions made by employees.

(c) Steps the department has taken, and future plans and goals the department has for retention and improving employee wellness.

(2) The department shall establish a staff recruitment and retention advisory board that is similar to the wellness program advisory board. At a minimum, the staff recruitment and retention advisory board shall consist of representatives from the department's human resources section, the department's legal department, department-affiliated unions selected by the union, and the department's nonexclusively represented employees. The board shall meet quarterly and serve to assist the department with shaping and enhancing effectiveness of staff recruiting and retention strategies. The department shall submit a status report by April 1 on the creation of the board and the board's initial plans to the senate and house appropriations subcommittees on corrections, the senate and house committees on oversight, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office.

Sec. 303. From the funds appropriated in part 1, the department shall submit a report by March 1 on the number of employee departures to the senate and house appropriations subcommittees on corrections, the senate and house committees on oversight, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The report must include the number of corrections officers that departed from employment at a state correctional facility in the immediately preceding fiscal year and the number of years they worked for the department. The report shall include a chart that shows the normal distribution of employee departures in these positions based on years of service. Years of service shall be grouped into the following ranges: 1 to 3 years, 3 to 5 years, 5 to 10 years, 10 to 15 years, 15 to 20 years, and 20 and more years. The department shall review all reasons for employee departures and summarize in the report the primary reasons for departure for each of the ranges of years of service based on the available responses. The report shall include a section that shows the distinction between recruits who are in-training at the academy that depart employment, recruits who are in-training at a facility that depart employment, and employees who have been on the job that depart employment.

Sec. 304. The department shall maintain a staff savings initiative program in conjunction with the EPIC program for employees to submit suggestions for efficiencies for the department. The department shall consider each suggestion in a timely manner. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on process improvements that were implemented based on suggestions that were recommended for implementation from the staff savings initiative and EPIC programs.

Sec. 305. From the funds appropriated in part 1 for prosecutorial and detainer expenses, the department shall reimburse counties for housing and custody of parole violators and offenders being returned by the department from community placement who are available for return to institutional status and for prisoners who volunteer for placement in a county jail.

Sec. 306. Funds included in part 1 for the sheriffs' coordinating and training office are appropriated for and may be expended to defray costs of continuing education, certification, recertification, decertification, and training of local corrections officers, the personnel and administrative costs of the sheriffs' coordinating and training office, the local corrections officers advisory board, and the sheriffs' coordinating and training council under the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546.

Sec. 307. The department shall issue a biannual report for all vendor contracts to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections

ombudsman, and the state budget office. The report shall cover service contracts with a value of $500,000.00 or more and include all of the following:

(a) The original start date and the current expiration date of each contract.

(b) The number, if any, of contract compliance monitoring site visits completed by the department for each vendor.

(c) The number and amount of fines, if any, for service-level agreement noncompliance for each vendor broken down by area of noncompliance.

Sec. 308. The department shall provide for the training of all custody staff in effective and safe ways of handling prisoners with mental illness and referring prisoners to mental health treatment programs. Mental health awareness training shall be incorporated into the training of new custody staff.

Sec. 309. The department shall issue a report for all correctional facilities to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office by January 1 setting forth the following information for each facility: its name, street address, and date of construction; its current maintenance costs; any maintenance planned; its current utility costs; its expected future capital improvement costs; the current unspent balance of any authorized capital outlay projects, including the original authorized amount; and its expected future useful life. For facilities closed prior to November 1, 2018, the report shall include a list of costs associated with maintenance and upkeep of closed facilities, by facility, and estimated costs of demolition of closed facilities.

Sec. 310. By March 1, the department shall provide a strategic plan update report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office which details the progress being made in achieving the strategic plan of the department. The report shall contain updates on relevant strategic plan objectives, as well as key stats and information about the department's efforts to decrease the overall recidivism rate and promote offender success by ensuring readiness to reenter society.

Sec. 311. By December 1, the department shall provide a report on the Michigan state industries program to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The report shall include, but not be limited to, the locations of the programs, the total number of participants at each location, a description of job duties and typical inmate schedules, the products that are produced, and how the program provides marketable skills that lead to employable outcomes after release from a department facility.

Sec. 312. (1) Funds appropriated in part 1 for employee wellness programming shall be used for post-traumatic stress outreach, treating mental health issues, and providing mental health programming for all department staff, including former employees.

(2) From the funds appropriated in part 1 for employee wellness programming, $50,000.00 shall be used to conduct a comprehensive follow-up study to the initial study that was conducted in fiscal year 2019, of the prevalence of post-traumatic stress and other psychological issues among department staff that are exacerbated by the corrections environment and exposure to highly stressful situations.

(3) By September 30, the department shall submit a report on the results of the study and on programs the department has established, the level of employee involvement, and expenditures made by the department for employee wellness programming. The department shall submit the report to the senate and house appropriations subcommittees on corrections, the senate and house committees on oversight, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office.

Sec. 313. (1) From the funds appropriated in part 1, the department shall submit quarterly reports on new employee schools to the senate and house appropriations subcommittees on corrections, the senate and house committees on oversight, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The reports must include the following information for the immediately preceding fiscal quarter, and as much of the information as possible for the current and next fiscal year.

(a) The number of new employee schools that took place and the location of each.

(b) The number of recruits that started in each employee school.

(c) The number of recruits that graduated from each employee school and continued employment with the department.

(2) The report must outline the department's strategy to achieve a 5% or lower target corrections officer vacancy rate.

Sec. 314. From the funds appropriated in part 1, the department shall submit a monthly report on the number of overtime hours worked by all custody staff, by facility. The report shall include for each facility, the number of mandatory overtime hours worked, the number of voluntary overtime hours worked, the reasons for overtime hours worked, and the average number of overtime hours worked by active employees. The report shall be submitted to the senate and house appropriations subcommittees on corrections, the senate

and house committees on oversight, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office.

Sec. 315. From the funds appropriated in part 1, the department shall conduct a survey of all corrections officers, at every correctional facility, on whether the officers want to have 12-hour shifts implemented. The department shall submit a report by March 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the results of the survey. The report shall include, but not be limited to, the number of officers surveyed by facility and the number of yes and no votes.

Sec. 316. From the funds appropriated in part 1 for new custody staff training, the department shall target training at hiring a minimum of 700 corrections officers to address higher than normal attrition of correction officers and to decrease overtime costs.

Sec. 317. (1) From the funds appropriated in part 1, the department shall submit a status report by November 1 on the new corrections officer training academy to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The report shall include, but not be limited to, a listing of all of the structures, amenities of those structures, and expenditure data associated with the structures and amenities.

(2) It is the intent of the legislature that the new training academy have classrooms, administrative offices, a gymnasium, a cafeteria, lodging facilities, an outdoor training area, a memorial area for staff who have lost their lives in the line of duty, and a firearm range. If the academy does not have all of those amenities, the department shall include in the report the projected costs of adding each amenity that is not currently available on-site.

(3) The department shall name the training academy site. As part of this naming process, the department shall solicit site name ideas from department staff.

Sec. 318. From the funds appropriated in part 1, the department shall submit a report about programs that offer professional development and training opportunities for all levels of custody supervisors and first line managers. The report shall include an overview of existing departmental programs, as well as a review of programs available in other organizations and states that serve similar purposes that may be adopted in part or in full to enhance departmental training. The department shall provide the required report by April 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office.

OFFENDER SUCCESS ADMINISTRATION

Sec. 401. The department shall submit 3-year and 5-year prison population projection updates concurrent with submission of the executive budget recommendation to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The report shall include explanations of the methodology and assumptions used in developing the projection updates.

Sec. 402. By March 1, the department shall provide a report on offender success expenditures and allocations to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. At a minimum, the report shall include information on both of the following:

(a) Details on prior-year expenditures, including amounts spent on each project funded, itemized by service provided and service provider.

(b) Allocations and planned expenditures for each project funded and for each project to be funded, itemized by service to be provided and service provider. The department shall provide an amended report quarterly, if any revisions to allocations or planned expenditures occurred during that quarter.

Sec. 403. The department shall partner with nonprofit faith-based, business and professional, civic, and community organizations for the purpose of providing offender success services. Offender success services include, but are not limited to, counseling, providing information on housing and job placement, and money management assistance.

Sec. 404. From the funds appropriated in part 1 for offender success services, the department, when reasonably possible, shall ensure that inmates have potential employer matches in the communities to which they will return prior to each inmate's initial parole hearing.

Sec. 405. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on expenditures for substance abuse testing and treatment services, substance abuse testing and treatment program objectives, outcome measures, and results, including program impact on offender success and programmatic success.

Sec. 407. By June 30, the department shall place the statistical report from the immediately preceding calendar year on an internet site. The statistical report shall include, but not be limited to, the information as provided in the 2004 statistical report.

Sec. 408. The department shall measure the recidivism rates of offenders.

Sec. 409. (1) The department shall engage with the department of labor and economic opportunity and local entities to design services and shall use appropriations provided in part 1 for offender success and vocational education programs. The department shall ensure that the collaboration provides relevant professional development opportunities to prisoners to ensure that the programs are high quality, demand driven, locally receptive, and responsive to the needs of communities where the prisoners are expected to reside after their release from correctional facilities. The programs shall begin upon the intake of the prisoner into a department facility.

(2) The department shall continue to offer workforce development programming through the entire duration of the prisoner's incarceration to encourage employment upon release.

(3) By March 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office detailing the results of the workforce development program.

Sec. 410. (1) The funds included in part 1 for community corrections comprehensive plans and services are to encourage the development through technical assistance grants, implementation, and operation of community corrections programs that enhance offender success and that also may serve as an alternative to incarceration in a state facility or jail. The comprehensive corrections plans shall include an explanation of how the public safety will be maintained, the goals for the local jurisdiction, offender target populations intended to be affected, offender eligibility criteria for purposes outlined in the plan, and how the plans will meet the following objectives, consistent with section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

(a) Reduce admissions to prison of offenders who would likely be sentenced to imprisonment, including probation violators.

(b) Improve the appropriate utilization of jail facilities, the first priority of which is to open jail beds intended to house otherwise prison-bound felons, and the second priority being to appropriately utilize jail beds so that jail crowding does not occur.

(c) Open jail beds through the increase of pretrial release options.

(d) Reduce the readmission to prison of parole violators.

(e) Reduce the admission or readmission to prison of offenders, including probation violators and parole violators, for substance abuse violations.

(f) Contribute to offender success.

(2) The award of community corrections comprehensive plans and residential services funds shall be based on criteria that include, but are not limited to, the prison commitment rate by category of offenders, trends in prison commitment rates and jail utilization, historical trends in community corrections program capacity and program utilization, and the projected impact and outcome of annual policies and procedures of programs on offender success, prison commitment rates, and jail utilization.

(3) Funds awarded for residential services in part 1 shall provide for a per diem reimbursement of not more than $55.50.

(4) Pursuant to an approved comprehensive plan, allowable uses of community corrections comprehensive plans and services funds shall include reimbursing counties for transportation, treatment costs, and housing drunk drivers during a period of assessment for treatment and case planning. Reimbursements for housing during the assessment process shall be at the rate of $43.50 per day per offender, up to a maximum of 5 days per offender.

Sec. 411. The comprehensive corrections plans shall also include, where appropriate, descriptive information on the full range of sanctions and services that are available and utilized within the local jurisdiction and an explanation of how jail beds, residential services, the special alternative incarceration program, probation detention centers, the electronic monitoring program for probationers, and treatment and rehabilitative services will be utilized to support the objectives and priorities of the comprehensive corrections plans and the purposes and priorities of section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408, that contribute to the success of offenders. The plans shall also include, where appropriate, provisions that detail how the local communities plan to respond to sentencing guidelines found in chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, and use the county jail reimbursement program under section 414 of this part. The state community corrections board shall encourage local community corrections advisory boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the MDHHS for the provision of

alcohol and drug screening, assessment, case management planning, and delivery of treatment to alcohol- and drug-involved offenders.

Sec. 412. (1) The department shall submit to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office the following information for each county and counties consolidated for comprehensive corrections plans:

(a) Approved technical assistance grants and comprehensive corrections plans including each program and level of funding, the utilization level of each program, and profile information of enrolled offenders.

(b) If federal funds are made available, the number of participants funded, the number served, the number successfully completing the program, and a summary of the program activity.

(c) Status of the community corrections information system and the jail population information system.

(d) Data on residential services, including participant data, participant sentencing guideline scores, program expenditures, average length of stay, and bed utilization data.

(e) Offender disposition data by sentencing guideline range, by disposition type, by prior record variable score, by number and percent statewide and by county, current year, and comparisons to the previous 3 years.

(f) Data on the use of funding made available under the drunk driver jail reduction and community treatment program.

(2) The report required under subsection (1) shall include the total funding allocated, program expenditures, required program data, and year-to-date totals.

Sec. 413. (1) From the funds appropriated in part 1 for public safety initiative, the law enforcement agency of the county receiving the funding under part 1 shall report a detailed listing of expenditures made for the prior three fiscal years. The report must be submitted by February 1 to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office and must include the purpose for which the expenditures were made, the amounts of expenditures by purpose, specific services that were provided, and number of individuals served.

(2) If requested by the senate and house of representatives appropriations subcommittees on corrections, the law enforcement agency of the county receiving the funding under part 1 shall appear before the subcommittees to discuss the expenditure report required under subsection (1). The subcommittees will work with the law enforcement agency to determine when the meeting will occur.

Sec. 414. (1) The department shall administer a county jail reimbursement program from the funds appropriated in part 1 for the purpose of reimbursing counties for housing in jails certain felons who otherwise would have been sentenced to prison.

(2) The county jail reimbursement program shall reimburse counties for convicted felons in the custody of the sheriff if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:

(a) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H or a nonperson crime in crime class F under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

(b) The felon's minimum sentencing guidelines range minimum is more than 12 months under the sentencing guidelines described in subdivision (a).

(c) The felon was sentenced to jail for a felony committed while he or she was on parole and under the jurisdiction of the parole board and for which the sentencing guidelines recommended range for the minimum sentence has an upper limit of more than 18 months.

(3) State reimbursement under this section shall be $65.00 per diem per diverted offender for offenders with a presumptive prison guideline score, $55.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 1 crime, and $40.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 2 crime. Reimbursements shall be paid for sentences up to a 1-year total.

(4) As used in this section:

(a) "Group 1 crime" means a crime in 1 or more of the following offense categories: arson, assault, assaultive other, burglary, criminal sexual conduct, homicide or resulting in death, other sex offenses, robbery, and weapon possession as determined by the department based on specific crimes for which counties received reimbursement under the county jail reimbursement program in fiscal year 2007 and fiscal year 2008, and listed in the county jail reimbursement program document titled "FY 2007 and FY 2008 Group One Crimes Reimbursed", dated March 31, 2009.

(b) "Group 2 crime" means a crime that is not a group 1 crime, including larceny, fraud, forgery, embezzlement, motor vehicle, malicious destruction of property, controlled substance offense, felony drunk driving, and other nonassaultive offenses.

(c) "In the custody of the sheriff" means that the convicted felon has been sentenced to the county jail and is either housed in a county jail, is in custody but is being housed at a hospital or medical facility for a medical or mental health purpose, or has been released from jail and is being monitored through the use of the sheriff's electronic monitoring system.

(5) County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. By October 15, the department shall distribute the documentation requirements to all counties.

(6) Any county that receives funding under this section for the purpose of housing in jails certain felons who otherwise would have been sentenced to prison shall, as a condition of receiving the funding, report by September 30 an annual average jail capacity and annual average jail occupancy for the immediately preceding fiscal year.

(7) Any county that enacts or enforces any law, ordinance, policy, or rule that limits or prohibits a peace officer or local official, officer, or employee from communicating or cooperating with appropriate federal officials concerning the immigration status of an individual in this state is not eligible to receive reimbursement from funds appropriated in part 1 to house in jails certain felons who otherwise would have been sentenced to prison.

(8) Not later than February 1, the department shall report to the senate and house appropriations subcommittees on corrections all of the following information:

(a) The number of inmates sentenced to the custody of the sheriff and eligible for the county jail reimbursement program.

(b) The total amount paid to counties under the county jail reimbursement program.

(c) The total number of days inmates were in the custody of the sheriff and eligible for the county jail reimbursement program.

(d) The number of inmates sentenced to the custody of the sheriff under each of the 3 categories: presumptive prison, group 1 crime, and group 2 crime in subsection (3).

(e) The total amount paid to counties under each of the 3 categories: presumptive prison, group 1 crime, and group 2 crime in subsection (3).

(f) The total number of days inmates were in the custody of the sheriff under each of the 3 categories: presumptive prison, group 1 crime, and group 2 crime in subsection (3).

(g) The estimated cost of housing inmates sentenced to the custody of the sheriff and eligible for the county jail reimbursement program as inmates of a state prison.

Sec. 417. (1) By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on both of the following programs from the previous fiscal year:

(a) The drunk driver jail reduction and community treatment program.

(b) Any new initiatives to control prison population growth funded or proposed to be funded under part 1.

(2) For each program listed under subsection (1), the report shall include information on each of the following:

(a) Program objectives and outcome measures, including, but not limited to, the number of offenders who successfully completed the program, and the number of offenders who successfully remained in the community during the 3 years following termination from the program.

(b) Expenditures by location.

(c) The impact on jail utilization.

(d) The impact on prison admissions.

(e) Other information relevant to an evaluation of the program.

Sec. 418. (1) The department shall collaborate with the state court administrative office on facilitating changes to Michigan court rules that would require the court to collect at the time of sentencing the state operator's license, state identification card, or other documentation used to establish the identity of the individual to be admitted to the department. The department shall maintain those documents in the prisoner's personal file.

(2) The department shall cooperate with MDHHS to create and maintain a process by which prisoners can obtain their Michigan birth certificates if necessary. The department shall describe a process for obtaining birth certificates from other states, and in situations where the prisoner's effort fails, the department shall assist in obtaining the birth certificate.

(3) The department shall collaborate with the department of military and veterans affairs to create and maintain a process by which prisoners can obtain a copy of their DD Form 214 or other military discharge documentation if necessary.

Sec. 419. (1) The department shall provide weekly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on prisoner populations by security levels by facility, prison facility capacities, and parolee and probationer populations.

(2) The department shall provide monthly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The reports shall include information on end-of-month prisoner populations in county jails, the net operating capacity according to the most recent certification report, identified by date, the number of beds in currently closed housing units by facility, and end-of-month data, year-to-date data, and comparisons to the prior year for the following:

(a) Community residential program populations, separated by centers and electronic monitoring.

(b) Parole populations.

(c) Probation populations, with identification of the number in special alternative incarceration.

(d) Prison and camp populations, with separate identification of the number in special alternative incarceration and the number of lifers.

(e) Prisoners classified as past their earliest release date.

(f) Parole board activity, including the numbers and percentages of parole grants and parole denials.

(g) Prisoner exits, identifying transfers to community placement, paroles from prisons and camps, paroles from community placement, total movements to parole, prison intake, prisoner deaths, prisoners discharging on the maximum sentence, and other prisoner exits.

(h) Prison intake and returns, including probation violators, new court commitments, violators with new sentences, escaper new sentences, total prison intake, returns from court with additional sentences, community placement returns, technical parole violator returns, and total returns to prison and camp.

Sec. 422. On a quarterly basis, the department shall issue a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office, for the previous 4 quarters detailing the outcomes of prisoners who have been reviewed for parole. The report shall include all of the following:

(a) How many prisoners in each quarter were reviewed.

(b) How many prisoners were granted parole.

(c) How many prisoners were denied parole.

(d) How many parole decisions were deferred.

(e) The distribution of the total number of prisoners reviewed during that quarter grouped by whether the prisoner had been interviewed for the first, second, third, fourth, fifth, sixth, or more than sixth time.

(f) The number of paroles granted, denied, or deferred for each of the parole guideline scores of low, average, and high.

(g) The reason for denying or deferring parole.

Sec. 423. From the funds appropriated in part 1 for offender success administration, the department shall collaborate with the Michigan Restaurant Association for job placement for individuals on probation and parole.

Sec. 425. (1) From the funds appropriated in part 1 for offender success programming, $1,000,000.00 shall be used by the department to establish medication-assisted treatment offender success pilot programs to provide prerelease treatment and postrelease referral for opioid-addicted and alcohol-addicted offenders who voluntarily participate in the medication-assisted treatment offender success pilot programs. The department shall collaborate with residential and nonresidential substance abuse treatment providers and with community-based clinics to provide postrelease treatment. The programs shall employ a multifaceted approach to treatment, including a long-acting nonaddictive medication approved by the Food and Drug Administration for the treatment of opioid and alcohol dependence, counseling, and postrelease referral to community-based providers.

(2) The manufacturer of a long-acting nonaddictive medication approved by the Food and Drug Administration for opioid and alcohol dependence shall provide the department with samples of the medication, at no cost to the department, during the duration of the medication-assisted treatment offender success pilot programs. Offenders shall receive 1 injection prior to being released from custody and shall be connected with an aftercare plan and assistance with obtaining insurance to cover subsequent injections.

(3) Participants of the programs shall be required to attend substance abuse treatment programming as directed by their agent, including coordination of both direct or indirect services through federally qualified

health centers in Wayne, Washtenaw, Genesee, Berrien, Van Buren, and Allegan Counties, but not limited to only those counties, shall be subject to routine drug and alcohol testing, shall not be allowed to consume drugs or alcohol, and shall possess a strong will to overcome addiction.

(4) The department shall submit a report by September 30 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the number of offenders who received injections upon release, the number of offenders who received injections and tested positive for drugs or alcohol, the number of offenders who received injections in the community for a duration of at least 3 months, and the number of offenders who received injections and were subsequently returned to prison.

Sec. 426. From the funds appropriated in part 1, the department shall ensure that any inmate with a diagnosed mental illness is referred to a local mental health care provider that is able and willing to treat the inmate upon parole or discharge. The department shall ensure that the provider is informed of the inmate's current treatment plan including any medications that are currently prescribed to the inmate.

Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip the Script shall be distributed to a Michigan-chartered 501(c)(3) nonprofit corporation operating in a county with greater than 1,500,000 people for administration and expansion of a program that serves a population of individuals aged 16 to 39. The program shall target those who are entering the criminal justice system for the first or second time and shall assist those individuals through the following program types:

(a) Alternative sentencing programs in partnership with a local district or circuit court.

(b) Educational recovery for special adult populations with high rates of illiteracy.

(c) Career development and continuing education for women.

(2) The program selected shall report by March 30 to the department, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. The report shall include program performance measurements, the number of individuals diverted from incarceration, the number of individuals served, and outcomes of participants who complete the program.

FIELD OPERATIONS ADMINISTRATION

Sec. 602. It is the intent of the legislature that the department not extend any contracts for electronic monitoring devices. When the current contract ends, a complete review of all providers and technology must be conducted to determine the efficacy.

Sec. 603. (1) Included in the appropriation in part 1 is adequate funding to implement the curfew monitoring program to be administered by the department. The curfew monitoring program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections advisory boards access to the state's curfew monitoring program to reduce prison admissions and improve local jail utilization. The department shall determine the appropriate distribution of the curfew monitor units throughout the state based upon locally developed comprehensive corrections plans under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414.

(2) For a fee determined by the department, the department shall provide counties with the curfew monitor equipment, replacement parts, administrative oversight of the equipment's operation, notification of violators, and periodic reports regarding county program participants. Counties are responsible for curfew monitor equipment installation and service. For an additional fee as determined by the department, the department shall provide staff to install and service the equipment. Counties are responsible for the coordination and apprehension of program violators.

(3) Any county with curfew monitor charges outstanding over 60 days shall be considered in violation of the community curfew monitor program agreement and lose access to the program.

Sec. 604. (1) The funds appropriated in part 1 for criminal justice reinvestment shall be used only to fund data collection and evidence-based programs designed to reduce recidivism among probationers and parolees.

(2) Of the funds appropriated in part 1 for criminal justice reinvestment, at least $600,000.00 shall be allocated to an organization that has received a United States Department of Labor training to work 2-adult reentry grant to provide county jail inmates with programming and services to prepare them to get and keep jobs. Examples of eligible programs and services are, but are not limited to: adult education, tutoring, manufacturing skills training, participation in a simulated work environment, mentoring, cognitive therapy groups, life skills classes, substance abuse recovery groups, fatherhood programs, classes in understanding the legal system, family literacy, health and wellness, finance management, employer presentations, and classes on job retention. Programming and support services should begin before release and continue after release from the county jail. To be eligible for funding, an organization must show at least 2 years' worth of data that demonstrate program success.

Sec. 605. From the funds appropriated in part 1 for criminal justice reinvestment, the department shall allocate $250,000.00 to conduct a request for proposal for a vendor to provide evidence-based mentoring, employment soft skills training, and job placement assistance. The selected vendor must demonstrate the ability to train individuals in mediation and conflict resolution. The selected vendor must provide evidence-based practices and community collaboration for offenders that are released from prison. The department shall issue a request for proposal no later than February 1 to acquire these services, with an awarded contract start date no later than May 1.

Sec. 611. The department shall prepare by March 1 individual reports for the residential reentry program, the electronic monitoring program, and the special alternative to incarceration program. The reports shall be submitted to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office. Each program's report shall include information on all of the following:

(a) Monthly new participants by type of offender. Residential reentry program participants shall be categorized by reason for placement. For technical rule violators, the report shall sort offenders by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.

(b) Monthly participant unsuccessful terminations, including cause.

(c) Number of successful terminations.

(d) End month population by facility/program.

(e) Average length of placement.

(f) Return to prison statistics.

(g) Description of each program location or locations, capacity, and staffing.

(h) Sentencing guideline scores and actual sentence statistics for participants, if applicable.

(i) Comparison with prior year statistics.

(j) Analysis of the impact on prison admissions and jail utilization and the cost effectiveness of the program.

Sec. 612. (1) The department shall review and revise as necessary policy proposals that provide alternatives to prison for offenders being sentenced to prison as a result of technical probation violations and technical parole violations. To the extent the department has insufficient policies or resources to affect the continued increase in prison commitments among these offender populations, the department shall explore other policy options to allow for program alternatives, including department or OCC-funded programs, local level programs, and programs available through private agencies that may be used as prison alternatives for these offenders.

(2) By April 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the number of all parolees returned to prison and probationers sentenced to prison for either a technical violation or new sentence during the preceding fiscal year. The report shall include the following information for probationers, for parolees after their first parole, and for parolees who have been paroled more than once:

(a) The numbers of parole and probation violators returned to or sent to prison for a new crime with a comparison of original versus new offenses by major offense type: assaultive, nonassaultive, drug, and sex.

(b) The numbers of parole and probation violators returned to or sent to prison for a technical violation and the type of violation, including, but not limited to, zero gun tolerance and substance abuse violations. For parole technical rule violators, the report shall list violations by type, by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.

(c) The educational history of those offenders, including how many had a high school equivalency or high school diploma prior to incarceration in prison, how many received a high school equivalency while in prison, and how many received a vocational certificate while in prison.

(d) The number of offenders who participated in the reentry program versus the number of those who did not.

(e) The unduplicated number of offenders who participated in substance abuse treatment programs, mental health treatment programs, or both, while in prison, itemized by diagnosis.

Sec. 613. When the department is determining where to place a parolee with chronic technical violations, the department shall give priority to placing a parolee in an intensive detention program that offers specific programming to address the behavioral needs of the parolee, and that works on a plan with the parolee to ensure that once the parolee is released he or she can remain in the community and successfully complete his or her parole.

Sec. 615. (1) The department shall submit a report detailing the number of prisoners who have received life imprisonment sentences with the possibility of parole and who are currently eligible for parole to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office by April 30.

(2) The report shall include the following information on parolable lifers who have served more than 25 years: prisoner name, MDOC identification number, prefix, offense for which life term is being served, county of conviction, age at time offense was committed, current age, race, gender, true security classification, dates of parole board file reviews, dates of parole board interviews, parole guideline scores, and reason for decision not to release.

Sec. 617. From the funds appropriated in part 1 for the residential alternative to prison program, the department shall provide vocational, educational, and cognitive programming in a secure environment to enhance existing alternative sentencing options, increase employment readiness and successful placement rates, and reduce new criminal behavior for the west Michigan probation violator population. The department shall measure and set the following metric goals:

(a) 85% of participants successfully complete the program.

(b) Of the participants that complete the program, 75% will earn a nationally recognized credential for career and vocational programs.

(c) Of the participants that complete the program, 100% will earn a certificate of completion for cognitive programming.

(d) The prison commitment rate for probation violators will be reduced by 5% within the impacted geographical area after the first year of program operation.

HEALTH CARE

Sec. 802. (1) As a condition of expenditure of the funds appropriated in part 1, the department shall provide the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office with quarterly reports on physical and mental health care, pharmaceutical services, and durable medical equipment, for prisoners. Reports shall detail quarterly and fiscal year-to-date expenditures itemized by vendor, allocations, status of payments from contractors to vendors, and projected year-end expenditures from accounts. Reports shall include a breakdown of all payments to the integrated care provider and to other providers itemized by physical health care, mental health care, pharmaceutical, and durable medical equipment expenditures.

(2) By April 1, the department shall provide the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office with a report on pharmaceutical prescribing practices, including a detailed accounting of expenditures on antipsychotic medications, and any changes that have been made to the prescription drug formularies.

Sec. 803. (1) The department shall assure that all prisoners, upon any health care treatment, are given the opportunity to sign a release of information form designating a family member or other individual to whom the department shall release records information regarding a prisoner. A release of information form signed by a prisoner shall remain in effect for 1 year, and the prisoner may elect to withdraw or amend the release form at any time.

(2) The department shall assure that any such signed release forms follow a prisoner upon transfer to another department facility or to the supervision of a parole officer.

(3) The form shall be placed online, on a public website managed by the department.

Sec. 804. The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on prisoner health care utilization. The report shall include the number of inpatient hospital days, outpatient visits, emergency room visits, and prisoners receiving off-site inpatient medical care in the previous quarter, by facility.

Sec. 807. The funds appropriated in part 1 for Hepatitis C treatment shall be used only to purchase specialty medication for Hepatitis C treatment in the prison population. In addition to the above appropriation, any rebates received from the medications used shall be used only to purchase specialty medication for Hepatitis C treatment. On a quarterly basis, the department shall issue a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office, showing for the previous 4 quarters the total amount spent on specialty medication for the treatment of Hepatitis C, the number of prisoners that were treated, the amount of any rebates that were received from the purchase of specialty medication, and what outstanding rebates are expected to be received.

Sec. 812. (1) The department shall provide the department of health and human services with a monthly list of prisoners newly committed to the department of corrections. The department and the department of

health and human services shall enter into an interagency agreement under which the department of health and human services provides the department of corrections with monthly lists of newly committed prisoners who are eligible for Medicaid benefits in order to maintain the process by which Medicaid benefits are suspended rather than terminated. The department shall assist prisoners who may be eligible for Medicaid benefits after release from prison with the Medicaid enrollment process prior to release from prison.

(2) The department shall provide the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office with quarterly updates on the utilization of Medicaid benefits for prisoners.

CORRECTIONAL FACILITIES ADMINISTRATION

Sec. 901. From the funds appropriated in part 1 for the enhanced food technology program, the department shall expand the existing food technology education program to at least 700 inmates annually. A participant in the food technology program shall complete 408 hours of on-the-job training in a prison kitchen as a part of the program.

Sec. 902. (1) From the funds appropriated in part 1, the department shall notify the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office of the department's plans to eliminate programming for prisoners. Notice shall be provided at least 1 month prior to program elimination.

(2) As used in this section, "programming for prisoners" means a department core program or career and technical education program funded in part 1.

Sec. 903. From the funds appropriated in part 1 for prison food service, the department shall report biannually to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the following:

(a) Average per-meal cost for prisoner food service. Per-meal cost shall include all costs directly related to the provision of food for the prisoner population, and shall include, but not be limited to, actual food costs, total compensation for all food service workers, including benefits and legacy costs, and inspection and compliance costs for food service.

(b) Food service-related contracts, including goods or services to be provided and the vendor.

(c) Major sanitation violations.

Sec. 904. The department shall calculate the cost per prisoner/per day for each security custody level. This calculation shall include all actual direct and indirect costs for the previous fiscal year, including, but not limited to, the value of services provided to the department by other state agencies and the allocation of statewide legacy costs. To calculate the cost per prisoner/per day, the department shall divide these direct and indirect costs by the average daily population for each custody level. For multilevel facilities, the indirect costs that cannot be accurately allocated to each custody level can be included in the calculation on a per-prisoner basis for each facility. A report summarizing these calculations and the direct and indirect costs included in them shall be submitted to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office not later than December 15.

Sec. 906. Any local unit of government or private nonprofit organization that contracts with the department for public works services shall be responsible for financing the entire cost of such an agreement.

Sec. 907. The department shall report by March 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on academic and vocational programs. The report shall provide information relevant to an assessment of the department's academic and vocational programs, including, but not limited to, all of the following:

(a) The number of instructors and the number of instructor vacancies, by program and facility.

(b) The number of prisoners enrolled in each program, the number of prisoners completing each program, the number of prisoners who do not complete each program and are not subsequently reenrolled, and the reason for not completing the program, the number of prisoners transferred to another facility while enrolled in a program and not subsequently reenrolled, the number of prisoners enrolled who are repeating the program, and the number of prisoners on waiting lists for each program, all itemized by facility.

(c) The steps the department has undertaken to improve programs, track records, accommodate transfers and prisoners with health care needs, and reduce waiting lists.

(d) The number of prisoners paroled without a high school diploma and the number of prisoners paroled without a high school equivalency.

(e) An explanation of the value and purpose of each program, for example, to improve employability, reduce recidivism, reduce prisoner idleness, or some combination of these and other factors.

(f) An identification of program outcomes for each academic and vocational program.

(g) The number of prisoners not paroled at their earliest release date due to lack of a high school equivalency, and the reason those prisoners have not obtained a high school equivalency.

Sec. 908. From the funds appropriated in part 1, the department may establish a pilot online high school diploma and career certificate program to serve up to 400 inmates through a provider that offers career-based online high school diplomas designed to prepare adult inmates for transition into the workplace. If a bid is awarded, the department shall provide an initial report no later than June 1 on the progress of the inmates in the online high school diploma and career certificate program to the senate and house subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office.

Sec. 910. The department shall allow the Michigan Braille transcribing fund program to operate at designated locations. The donations by the Michigan Braille transcribing fund at the G. Robert Cotton Correctional Facility in Jackson and the Womens Huron Valley Correctional Facility in Ypsilanti are acknowledged and appreciated. The department shall continue to encourage the Michigan Braille transcribing fund program to produce high-quality materials for use by the visually impaired.

Sec. 911. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office the number of critical incidents occurring each month by type and the number and severity of assaults, escape attempts, suicides, and attempted suicides occurring each month at each facility during the immediately preceding calendar year.

Sec. 912. The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the ratio of correctional officers to prisoners for each correctional institution, the ratio of shift command staff to line custody staff, and the ratio of noncustody institutional staff to prisoners for each correctional institution.

Sec. 913. (1) From the funds appropriated in part 1, the department shall focus on providing required programming to prisoners who are past their earliest release date because of not having received the required programming. Programming includes, but is not limited to, violence prevention programming, assaultive offender programming, sexual offender programming, substance abuse treatment programming, thinking for a change programming, and any other programming that is required as a condition of parole.

(2) It is the intent of the legislature that any prisoner required to complete a violence prevention program, sexual offender program, or other program as a condition of parole shall be placed on a waiting list for the appropriate programming upon entrance to prison and transferred to a facility where that program is available in order to accomplish timely completion of that program prior to the expiration of his or her minimum sentence and eligibility for parole. Nothing in this section should be deemed to make parole denial appealable in court.

(3) The department shall submit a quarterly report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office detailing enrollment in sex offender programming, assaultive offender programming, violent offender programming, and thinking for a change programming. At a minimum, the report shall include the following:

(a) A full accounting, from the date of entrance to prison, of the number of individuals who are required to complete the programming, but have not yet done so.

(b) The number of individuals who have reached their earliest release date, but who have not completed required programming.

(c) A plan of action for addressing any waiting lists or backlogs for programming that may exist.

Sec. 920. If a female prisoner consents to a visitor being present, the department shall allow that 1 person to be present during the prisoner's labor and delivery. The person allowed to accompany the prisoner must be an immediate family member, legal guardian, spouse, or domestic partner. The department is authorized to deny access to a visitor if the department has a safety concern with that visitor's access. The department is authorized to conduct a criminal background check on a visitor.

Sec. 924. The department shall evaluate all prisoners at intake for substance abuse disorders, serious developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness or serious developmental disorders shall not be removed from the general population as a punitive response to behavior caused by their serious mental illness or serious developmental disorder. Due to persistent high violence risk or severe disruptive behavior that is unresponsive to treatment, prisoners with serious mental illness or serious developmental disorders may be placed in secure residential housing programs that will facilitate access to institutional programming and ongoing mental health services. A prisoner with serious mental illness or serious developmental disorder who is confined in these specialized housing programs shall be evaluated or monitored by a medical professional at a frequency of not less than every 12 hours.

Sec. 925. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the annual number of prisoners in administrative segregation between October 1, 2019 and September 30, 2020, and the annual number of prisoners in administrative segregation between October 1, 2019 and September 30, 2020 who at any time during the current or prior prison term were diagnosed with serious mental illness or have a developmental disorder and the number of days each of the prisoners with serious mental illness or a developmental disorder have been confined to administrative segregation.

Sec. 929. From the funds appropriated in part 1, the department shall do all of the following:

(a) Ensure that any inmate care and control staff in contact with prisoners less than 18 years of age are adequately trained with regard to the developmental and mental health needs of prisoners less than 18 years of age. By April 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the training curriculum used and the number and types of staff receiving annual training under that curriculum.

(b) Provide appropriate placement for prisoners less than 18 years of age who have serious mental illness, serious emotional disturbance, or a serious developmental disorder and need to be housed separately from the general population. Prisoners less than 18 years of age who have serious mental illness, serious emotional disturbance, or a serious developmental disorder shall not be removed from an existing placement as a punitive response to behavior caused by their serious mental illness, serious emotional disturbance, or a serious developmental disorder. Due to persistent high violence risk or severe disruptive behavior that is unresponsive to treatment, prisoners less than 18 years of age with serious emotional disturbance, serious mental illness, or serious developmental disorders may be placed in secure residential housing programs that will facilitate access to institutional programming and ongoing mental health services. A prisoner less than 18 years of age with serious mental illness, serious emotional disturbance, or a serious developmental disorder who is confined in these specialized housing programs shall be evaluated or monitored by a medical professional at a frequency of not less than every 12 hours.

(c) Implement a specialized offender success program that recognizes the needs of prisoners less than 18 years old for supervised offender success.

Sec. 930. The department shall submit a quarterly report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the number of youth in prison. The report shall include, but not be limited to, the following information:

(a) The total number of inmates under age 18 who are not on Holmes youthful trainee act status.

(b) The total number of inmates under age 18 who are on Holmes youthful trainee act status.

(c) The total number of inmates aged 18 to 23 who are on Holmes youthful trainee act status.

Sec. 940. (1) Any lease, rental, contract, or other legal agreement that includes a provision allowing a private person or entity to use state-owned facilities or other property to conduct a for-profit business enterprise shall require the lessee to pay fair market value for the use of the state-owned property.

(2) The lease, rental, contract, or other legal agreement shall also require the party using the property to make a payment in lieu of taxes to the local jurisdictions that would otherwise receive property tax revenue, as if the property were not owned by the state.

Sec. 942. The department shall ensure that any contract with a public or private party to operate a facility to house state prisoners includes a provision to allow access by both the office of the legislative auditor general and the office of the legislative corrections ombudsman to the facility and to appropriate records and documents related to the operation of the facility. These access rights for both offices shall be the same for the contracted facility as for a general state-operated correctional facility.

Sec. 943. The department shall submit a report by May 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the actual and projected savings achieved by closing correctional facilities. Savings amounts shall be itemized by facility. Information required by this section shall start with the closure of the Pugsley Correctional Facility, which closed in September of 2016.

Sec. 944. When the department is planning to close a correctional facility, the department shall fully consider the potential economic impact of the prison closure on the community where the facility is located. The department, when weighing all factors related to the closure of a facility, shall also consider the impact on the local community where the facility to be closed is located.

Sec. 945. From the funds appropriated in part 1, the department shall notify the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office of the department's plans to close, consolidate, or relocate any

correctional facility in the state. Notice shall be provided at least 1 month prior to effective date of closure, consolidation, or relocation.

Sec. 946. It is the intent of the legislature that the department consult with the legislature and other appropriate state agencies to develop a framework to provide investment in communities that have formerly operational state correctional facilities that have been closed. This framework shall include plans to ensure that vacant state correctional facilities do not become a nuisance or danger to the community.

MISCELLANEOUS

Sec. 1009. The department shall make an information packet for the families of incoming prisoners available on the department's website. The information packet shall be updated by February 1. The packet shall provide information on topics including, but not limited to: how to put money into prisoner accounts, how to make phone calls or create Jpay electronic mail accounts, how to visit in person, proper procedures for filing complaints or grievances, the rights of prisoners to physical and mental health care, how to utilize the offender tracking information system (OTIS), truth-in-sentencing and how it applies to minimum sentences, the parole process, and guidance on the importance of the role of families in the reentry process. The department is encouraged to partner with external advocacy groups and actual families of prisoners in the packet-writing process to ensure that the information is useful and complete.

Sec. 1011. The department may accept in-kind services and equipment donations to facilitate the addition of a cable network that provides programming that will address the religious needs of incarcerated individuals. This network may be a cable television network that presently reaches the majority of households in the United States. A bilingual channel affiliated with this network may also be added to department programming to assist the religious needs of Spanish-speaking inmates. The addition of these channels shall be at no additional cost to this state.

Sec. 1013. From the funds appropriated in part 1, priority may be given to funding reentry or rehabilitation programs that have been demonstrated to reduce prison violence and recidivism, including faith-based initiatives.

ARTICLE 3

DEPARTMENT OF EDUCATION

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of education for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF EDUCATION		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	614.5	
GROSS APPROPRIATION	**$**	**451,695,700**
ADJUSTED GROSS APPROPRIATIONS		**451,695,700**
Federal revenues:		
Total federal revenues		343,701,700
Special revenue funds:		
Total local revenues		5,872,100
Total private revenues		2,239,300
Total other state restricted revenues		9,815,500
State general fund/general purpose	**$**	**90,067,100**
Sec. 102. STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	11.0	
Unclassified positions—FTE positions	6.0$	910,600
Education commission of the states		120,800
State board of education, per diem payments		24,400
State board/superintendent operations—FTEs	11.0	2,282,500
GROSS APPROPRIATION	**$**	**3,338,300**
Appropriated from:		
Federal revenues:		
Federal revenues		250,000

		For Fiscal Year Ending Sept. 30, 2021
Special revenue funds:		
Private foundations		28,100
Certification fees		809,200
State general fund/general purpose	**$**	**2,251,000**
Sec. 103. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated classified positions	47.6	
Central support operations—FTEs	38.6	6,073,000
Federal and private grants		3,000,000
Grant and contract operations—FTEs	9.0	2,754,200
Property management		3,556,100
Terminal leave payments		353,300
Training and orientation workshops		150,000
Worker's compensation		65,700
GROSS APPROPRIATION	**$**	**15,952,300**
Appropriated from:		
Federal revenues:		
Federal indirect revenues		2,954,300
Federal revenues		6,180,700
Special revenue funds:		
Private foundations		1,000,000
Certification fees		575,500
Teacher testing fees		4,400
Training and orientation workshop fees		150,000
State general fund/general purpose	**$**	**5,087,400**
Sec. 104. INFORMATION TECHNOLOGY		
Information technology services and projects		4,968,300
GROSS APPROPRIATION	**$**	**4,968,300**
Appropriated from:		
Federal revenues:		
Federal indirect revenues		1,964,600
Federal revenues		640,200
Special revenue funds:		
Certification fees		939,400
State general fund/general purpose	**$**	**1,424,100**
Sec. 105. SPECIAL EDUCATION SERVICES		
Full-time equated classified positions	47.0	
Special education operations—FTEs	47.0	10,813,100
GROSS APPROPRIATION	**$**	**10,813,100**
Appropriated from:		
Federal revenues:		
Federal revenues		8,723,500
Special revenue funds:		
Private foundations		110,100
Certification fees		46,800
State general fund/general purpose	**$**	**1,932,700**
Sec. 106. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND		
Full-time equated classified positions	82.0	
Camp Tuhsmeheta—FTE	1.0	501,100
Low incidence outreach program		1,000,000
Michigan schools for the deaf and blind operations—FTEs	81.0	13,638,500
Private gifts - blind		200,000
Private gifts - deaf		150,000

		For Fiscal Year Ending Sept. 30, 2021
GROSS APPROPRIATION	**$**	**15,489,600**
Appropriated from:		
Federal revenues:		
Federal revenues		7,560,300
Special revenue funds:		
Local cost sharing (schools for deaf/blind)		5,872,100
Gifts, bequests, and donations		851,100
Low incidence outreach fund		1,000,000
Student insurance revenue		206,100
State general fund/general purpose	**$**	**0**
Sec. 107. EDUCATOR EXCELLENCE		
Full-time equated classified positions	48.0	
Educator excellence operations—FTEs	48.0	10,989,700
GROSS APPROPRIATION	**$**	**10,989,700**
Federal revenues:		
Federal revenues		4,668,000
Special revenue funds:		
Certification fees		4,097,000
Teacher testing fees		198,100
State general fund/general purpose	**$**	**2,026,600**
Sec. 108. MICHIGAN OFFICE OF GREAT START		
Full-time equated classified positions	66.0	
Child development and care contracted services		12,400,000
Child development and care external support		30,809,900
Child development and care public assistance		241,622,000
Head start collaboration office—FTE	1.0	319,700
Office of great start operations—FTEs	65.0	13,564,300
T.E.A.C.H. Early Childhood Michigan scholarship program		5,000,000
GROSS APPROPRIATION	**$**	**303,715,900**
Appropriated from:		
Federal revenues:		
Federal revenues		262,051,500
Special revenue funds:		
Private foundations		250,000
Certification fees		64,600
State general fund/general purpose	**$**	**41,349,800**
Sec. 109. SYSTEMS, EVALUATION, AND TECHNOLOGY		
Full-time equated classified positions	10.0	
Office of systems, evaluation, and technology operations—FTEs	10.0	1,987,000
GROSS APPROPRIATION	**$**	**1,987,000**
Appropriated from:		
Federal revenues:		
Federal indirect revenues		139,000
Federal revenues		983,800
Special revenue funds:		
Certification fees		10,400
State general fund/general purpose	**$**	**853,800**
Sec. 110. STRATEGIC PLANNING AND IMPLEMENTATION		
Full-time equated classified positions	6.0	
Strategic planning and implementation operations—FTEs	6.0	1,083,000
GROSS APPROPRIATION	**$**	**1,083,000**

		For Fiscal Year Ending Sept. 30, 2021
Appropriated from:		
Federal revenues:		
Federal revenues		559,000
State general fund/general purpose	**$**	**524,000**
Sec. 111. ADMINISTRATIVE LAW SERVICES		
Full-time equated classified positions	2.0	
Administrative law operations—FTEs	2.0	1,423,500
GROSS APPROPRIATION	**$**	**1,423,500**
Appropriated from:		
Federal revenues:		
Federal revenues		579,700
Special revenue funds:		
Certification fees		739,900
State general fund/general purpose	**$**	**103,900**
Sec. 112. ACCOUNTABILITY SERVICES		
Full-time equated classified positions	63.6	
Accountability services operations—FTEs	63.6	14,881,400
GROSS APPROPRIATION	**$**	**14,881,400**
Appropriated from:		
Federal revenues:		
Federal revenues		12,705,000
State general fund/general purpose	**$**	**2,176,400**
Sec. 113. SCHOOL SUPPORT SERVICES		
Full-time equated classified positions	74.6	
Adolescent and school health		322,900
School support services operations—FTEs	74.6	13,775,900
GROSS APPROPRIATION	**$**	**14,098,800**
Appropriated from:		
Federal revenues:		
Federal revenues		12,670,500
Special revenue funds:		
Commodity distribution fees		71,700
State general fund/general purpose	**$**	**1,356,600**
Sec. 114. EDUCATIONAL SUPPORTS		
Full-time equated classified positions	82.7	
Educational supports operations—FTEs	82.7	15,434,300
GROSS APPROPRIATION	**$**	**15,434,300**
Appropriated from:		
Federal revenues:		
Federal revenues		11,317,800
Special revenue funds:		
Certification fees		602,400
State general fund/general purpose	**$**	**3,514,100**
Sec. 115. CAREER AND TECHNICAL EDUCATION		
Full-time equated classified positions	28.0	
Career and technical education operations—FTEs	28.0	5,398,700
GROSS APPROPRIATION	**$**	**5,398,700**
Appropriated from:		
Federal revenues:		
Federal revenues		4,024,200
State general fund/general purpose	**$**	**1,374,500**

		For Fiscal Year Ending Sept. 30, 2021
Sec. 116. LIBRARY OF MICHIGAN		
Full-time equated classified positions	33.0	
Library of Michigan operations—FTEs	31.0	4,956,400
Library services and technology program—FTE	1.0	5,615,100
Michigan eLibrary—FTE	1.0	1,729,400
Renaissance zone reimbursements		2,200,000
State aid to libraries		13,067,700
GROSS APPROPRIATION	**$**	**27,568,600**
Appropriated from:		
Federal revenues:		
Federal revenues		5,615,100
Special revenue funds:		
Library fees		300,000
State general fund/general purpose	**$**	**21,653,500**
Sec. 117. PARTNERSHIP DISTRICT SUPPORT		
Full-time equated classified positions	13.0	
Partnership district support operations—FTEs	13.0	3,553,200
GROSS APPROPRIATION	**$**	**3,553,200**
Appropriated from:		
Federal revenues:		
Federal revenues		114,500
State general fund/general purpose	**$**	**3,438,700**
Sec. 118. ONE-TIME APPROPRIATION		
Educare		1,000,000
GROSS APPROPRIATION	**$**	**1,000,000**
Appropriated from:		
State general fund/general purpose	**$**	**1,000,000**

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $99,882,600.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $15,267,700.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF EDUCATION		
Renaissance zone reimbursements	$	2,200,000
State aid to libraries		13,067,700
TOTAL	**$**	**15,267,700**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "Department" means the Michigan department of education.

(b) "DHHS" means the Michigan department of health and human services.

(c) "District" means a local school district as that term is defined in section 6 of the revised school code, 1976 PA 451, MCL 380.6, or a public school academy as that term is defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

(d) "FTE" means full-time equated.

(e) "HHS" means the United States Department of Health and Human Services.

Sec. 204. The departments and agencies receiving appropriations in part 1 shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The state superintendent of public instruction shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The state superintendent of public instruction shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 207. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the house and senate fiscal agencies, and the state budget director. The report must include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees and the senate and house fiscal agencies.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $400,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $250,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,500,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the senate and house appropriations chairs, the chairs of the senate and house appropriations subcommittees responsible for the department budget, and the senate and

house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2020 and September 30, 2021.

Sec. 213. From the funds appropriated in part 1, the department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $14,935,200.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $7,166,100.00. Total agency appropriations for retiree health care legacy costs are estimated at $7,769,100.00.

Sec. 215. The department shall provide through the internet the state board of education agenda and all supporting documents, and shall notify the state budget director and the senate and house fiscal agencies that the agenda and supporting documents are available on the internet, at the time the agenda and supporting documents are provided to state board of education members.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. The department may assist the department of health and human services, other departments, and local school districts to secure reimbursement for eligible services provided in Michigan schools from the federal Medicaid program. The department may submit reports of direct expenses related to this effort to the department of health and human services for reimbursement.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. From the funds appropriated in part 1, the department shall ensure that kindergarten benchmark data include a method for information to be provided regarding a child's participation in the great start readiness program.

Sec. 220. The department shall post on its website a link to the federal Institute of Education Sciences' What Works Clearinghouse. The department also shall work to disseminate knowledge about the What Works Clearinghouse to districts and intermediate districts so that it may be used to improve reading proficiency for pupils in grades K to 3.

Sec. 221. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the senate and house subcommittees responsible for the department budget, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 222. The department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the legislature or his or her staff, unless the communication is prohibited by law and the department or departmental agency taking disciplinary action is exercising its authority as provided by law.

Sec. 223. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 224. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 226. From the funds appropriated in part 1, the department shall coordinate with the other departments to streamline state services and resources, reduce duplication, and increase efficiency. This includes, but is not limited to, working with the department of treasury to coordinate with the financial independence team and overseeing deficit districts and working with the department of health and human services and department of licensing and regulatory affairs to coordinate with early childhood programs and overseeing child care providers.

Sec. 228. In collaboration with the DHHS, the department shall promote and support initiatives in schools and other educational organizations that include, but are not limited to, training for educators, teachers, and other personnel in school settings for all of the following:

(a) Utilization of trauma-informed practices.

(b) Age-appropriate education and information on human trafficking.

(c) Age-appropriate education and information on sexual abuse prevention.

Sec. 229. The department shall not submit federal accountability plans or request amendments to federal accountability plans until after notification of the content to both the house and senate appropriations committees, house and senate fiscal agencies, and the state budget director.

Sec. 230. From the funds appropriated in part 1, the department shall compile a report that identifies any new, or lack thereof, mandates required of nonpublic schools. In compiling the report, the department may consult with relevant statewide education associations in Michigan. The report compiled by the department shall indicate the type of mandate, including, but not limited to, student health, student or building safety, accountability, and educational requirements, and shall indicate whether a school has to report on the specified mandates. The report required under this section shall be completed by April 1, 2021 and transmitted to the state budget director, the house and senate appropriations subcommittees responsible for the department of education, and the senate and house fiscal agencies not later than April 15, 2021.

Sec. 231. From the funds appropriated in part 1, the department shall collect information from all school districts, intermediate school districts, and public school academies that have not adopted any policies that were specified by section 12b of the child protection law, 1975 PA 238, MCL 722.632b, during the fiscal year ending September 30, 2019, or that adopted new policies specified by section 12b of the child protection law, 1975 PA 238, MCL 722.632b, during the fiscal year ending September 30, 2020. The information collected shall be reported to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget office. The report shall include a list of each school district, intermediate school district, and public school academy that has adopted each policy specified by section 12b of the child protection law, 1975 PA 238, MCL 722.632b.

Sec. 232. From the funds appropriated in part 1, the department shall ensure that the most recently issued report of regional in-demand occupations issued by the department of technology, management, and budget is distributed in electronic or paper form to all high schools in each school district, intermediate school district, and public school academy.

Sec. 233. (1) From the funds appropriated in part 1 for educator excellence, $100.00 shall be used to develop and implement a training program to provide resources and programming to pupils in grades 9 to 12 who are interested in a career in teaching and who are members of groups that are underrepresented in the teaching profession in this state.

(2) The department shall do all of the following with respect to the training program developed and implemented under subsection (1):

(a) Create a process for nomination and admission of pupils to the program.

(b) Advertise the program.

(c) Invite postsecondary institutions in this state that operate a teacher preparation program to participate in the training program.

(d) Connect pupils participating in the program to representatives of teacher preparation programs at postsecondary institutions in this state.

(e) At least once, conduct conferences for pupils participating in the program in locations that are geographically convenient for the majority of pupils attending each conference.

(f) Provide all available research and resources to pupils and postsecondary institutions participating in the training program on at least all of the following:

(*i*) Successful activities and programs for recruiting and retaining pupils who are members of groups that are underrepresented in the teaching profession for participation in postsecondary teacher preparation programs.

(*ii*) Teacher certification.

(*iii*) Employment as a teacher.

Sec. 234. (1) The department shall conduct a study regarding the issues of school enrollment, performance, and outcomes related to college acceleration programs, including, but not limited to, international baccalaureate, advanced placement, dual or concurrent enrollment, early or middle college high schools, and career and technical education. The study shall include, but is not limited to, all of the following:

(a) The number of students participating in each type of college acceleration program by subgroup and by course subject.

(b) The number of higher education credits associated with these programs earned in each type of college acceleration program in a high school setting.

(c) To the extent practicable, the number of credits successfully transferred into Michigan higher education institutions.

(d) The degree attainment status of students and time-to-degree for students participating in each college acceleration program.

(e) The percentage of incomplete credits or courses for each college acceleration program.

(2) The study described in subsection (1) shall be completed by the department not later than May 1, 2021. The department shall provide the study described in subsection (1) to the state budget director, the house and senate subcommittees that oversee the department of education, and the house and senate fiscal agencies by May 1, 2021.

STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT

Sec. 301. (1) The appropriations in part 1 may be used for per diem payments to the state board for meetings at which a quorum is present or for performing official business authorized by the state board. The per diem payments shall be at a rate as follows:

(a) State board of education - president - $110.00 per day.

(b) State board of education - member other than president - $100.00 per day.

(2) A state board of education member shall not be paid a per diem for more than 30 days per year.

SPECIAL EDUCATION SERVICES

Sec. 350. From the funds in part 1 for special education operations, the department shall use $100,000.00 to design and distribute to all parents and legal guardians of a student with a disability information about federal and state mandates regarding the rights and protections of students with disabilities, including, but not limited to, individualized education programs to ensure that parents and legal guardians are fully informed about laws, rules, procedural safeguards, problem-solving options, and any other information the department determines is necessary so that parents and legal guardians may be able to provide meaningful input in collaboration with districts to develop and implement an individualized education program.

Sec. 351. From the funds appropriated in part 1 for special education operations, $1,500,000.00 is allocated to an association for administrators of special education services to develop content for use by special education students, teachers, and others. Any content that is developed shall be accessible throughout the state of Michigan. The funds may be used to support the development of assessment tools to measure the needs of students with special education needs in remote learning environments and the effectiveness of various educational methods and tools, in collaboration with the department. Funds are available to identify any available federal funds for research related to special education in remote learning.

MICHIGAN SCHOOLS FOR THE DEAF AND BLIND

Sec. 401. The employees at the Michigan Schools for the Deaf and Blind who work on a school-year basis are considered annual employees for purposes of service credits, retirement, and insurance benefits.

Sec. 402. For each student enrolled at the Michigan Schools for the Deaf and Blind, the department shall assess the intermediate school district of residence 100% of the cost of operating the student's instructional program. The amount shall exclude room and board related costs and the cost of weekend transportation between the school and the student's home.

Sec. 406. (1) The Michigan Schools for the Deaf and Blind may promote its residential program as a possible appropriate option for children who are deaf or hard of hearing or who are blind or visually impaired. The Michigan Schools for the Deaf and Blind shall distribute information detailing its services to all intermediate school districts in this state.

(2) Upon knowledge of or recognition by an intermediate school district that a child in the district is deaf or hard of hearing or blind or visually impaired, the intermediate school district shall provide to the parents of the child the literature distributed by the Michigan Schools for the Deaf and Blind to intermediate school districts under subsection (1).

(3) Parents will continue to have a choice regarding the educational placement of their deaf or hard-of-hearing children.

Sec. 407. Revenue received by the Michigan Schools for the Deaf and Blind from gifts, bequests, and donations that is unexpended at the end of the state fiscal year may be carried over to the succeeding fiscal year and shall not revert to the general fund.

Sec. 408. (1) The funds appropriated in part 1 for the low incidence outreach fund are appropriated from money collected by the Michigan Schools for the Deaf and Blind and the low incidence outreach program for providing qualified services and may be used for any expenses necessary to provide the qualified services. Any money that is unexpended at the end of the current fiscal year may be carried forward into the succeeding fiscal year.

(2) As used in this section, "qualified services" means document reproduction and services; conducting conferences, workshops, and training classes; and providing specialized equipment, facilities, and software.

Sec. 409. When conducting a due process hearing resulting from a parent's appeal of his or her child's individualized education program team's decision on the child's educational placement, a state administrative law judge shall consider designating the Michigan School for the Deaf as 1 of the options for the least restrictive environment under federal law for the parent's child who is deaf, deafblind, or hard of hearing.

EDUCATOR EXCELLENCE

Sec. 501. From the funds appropriated in part 1 for educator excellence, the department shall maintain certificate revocation/felony conviction files of educational personnel.

Sec. 503. From the funds appropriated in part 1, the department shall, upon request, consult with the Michigan Virtual Learning Research Institute and external stakeholders in connection with the department's implementation and administration of professional development training described in section 35a of the state school aid act of 1979, 1979 PA 94, MCL 388.1635a, including, but not limited to, the online training of educators of pupils in grades K to 3 described in that section.

Sec. 506. Revenue received from teacher testing fees that is unexpended at the end of the current fiscal year may be carried over to the succeeding fiscal year and shall not revert to the general fund.

Sec. 507. From the funds appropriated in part 1, the department shall adopt a teacher certification test that ensures that all newly certified elementary teachers have the skills to deliver evidence-based literacy instruction. The department may use teacher certification or teacher testing fee revenue to the extent allowable under law to implement this section, or may pass along increased testing fees to teachers as allowable and appropriate.

SCHOOL SUPPORT SERVICES

Sec. 601. From the funds appropriated in part 1 for adolescent and school health, there is appropriated $322,900.00 to replace federal funding reductions from the HHS - Centers for Disease Control and Prevention to the department and section 39a(2)(a) of the state school aid act of 1979, 1979 PA 94, MCL 388.1639a.

EDUCATIONAL SUPPORTS

Sec. 701. (1) From the funds appropriated in part 1 for educational supports, the department shall produce a report detailing the progress made by districts with grades K to 12 receiving at-risk funding under section 31a of the state school aid act of 1979, 1979 PA 94, MCL 388.1631a, in implementing multitiered systems of supports in the prior school fiscal year for grades K to 12, and in providing reading intervention services described in section 1280f of the revised school code, 1976 PA 451, MCL 380.1280f, for pupils in grades K to 12.

(2) The report described in subsection (1) shall include, at a minimum:

(a) A description of the training, coaching, and technical assistance offered by the department to districts to support the implementation of effective multitiered systems of supports and reading intervention programs.

(b) A list of districts determined by the department to have successfully implemented multitiered systems of supports and reading intervention programs.

(c) A list of best practices that the department has identified that may be used by districts to implement multitiered systems of supports and reading intervention programs.

(d) Other information the department determines would be useful to understanding the status of districts' implementation of effective multitiered systems of supports and reading intervention programs.

(3) The department shall provide the report described in subsection (1) to the state budget director, the house and senate subcommittees that oversee the department of education and school aid budgets, and the house and senate fiscal agencies by September 30, 2021.

Sec. 702. From the funds appropriated in part 1, there is appropriated an amount not to exceed $1,000,000.00 for implementation costs associated with programs for early childhood literacy funded under section 35a of the state school aid act of 1979, 1979 PA 94, MCL 388.1635a.

LIBRARY OF MICHIGAN

Sec. 801. (1) The funds appropriated in part 1 for library fees are appropriated from money collected by the Library of Michigan for providing qualified services and may be used for any expenses necessary to provide the qualified services. Any money that is unexpended at the end of the current fiscal year may be carried forward into the succeeding fiscal year.

(2) As used in this section, "qualified services" means document reproduction and services; conducting conferences, workshops, and training classes; and providing specialized equipment, facilities, and software.

Sec. 804. (1) The funds appropriated in part 1 for renaissance zone reimbursements shall be used to reimburse public libraries under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692, for taxes levied in 2020. The allocations shall be made not later than 60 days after the department of treasury certifies to the department and to the state budget director that the department of treasury has received all necessary information to properly determine the amounts due to each eligible recipient.

(2) If the amount appropriated under this section is not sufficient to fully pay obligations under this section, payments shall be prorated on an equal basis among all eligible public libraries.

MICHIGAN OFFICE OF GREAT START

Sec. 1002. The department shall ensure that the final child development and care provider reimbursement rates are published on the department and Great Start to Quality webpages.

Sec. 1003. (1) From the funds appropriated in part 1 for child development and care contracted service, the department shall provide the house and senate appropriations subcommittees on the department budget with an annual report on all funding appropriated to contracts for the early childhood comprehensive systems planning by this state during the previous fiscal year. The report is due by February 15 and must contain at least the following information:

(a) Total funding appropriated to contracts for the early childhood comprehensive systems planning by the state during the previous fiscal year.

(b) The amount of funding for each grant awarded.

(c) The grant recipients.

(d) The activities funded by each grant.

(e) An analysis of each grant recipient's success in addressing the development of a comprehensive system of early childhood services and supports.

(2) All department contracts for early childhood comprehensive systems planning shall be bid out through a statewide request-for-proposal process.

Sec. 1004. From the funds appropriated in part 1 for the T.E.A.C.H. Early Childhood Michigan Scholarship Program, the department shall ensure that $5,000,000.00 is appropriated to the T.E.A.C.H. Early Childhood Michigan Scholarship Program. The program shall give preference to the following providers:

(a) Providers that currently have a great start to quality star rating or are in the process to receive a star rating.

(b) Providers that are seeking to increase their great start to quality star rating and are only restricted from receiving the increased rating because they lack employees with the proper education level.

Sec. 1007. (1) From the funds appropriated in part 1 for child development and care – external support, the department shall create progress reports that shall include, but are not limited to, the following:

(a) Both the on-site and off-site activities that are intended to improve child care provider quality and the number of times those activities are performed by the licensing consultants.

(b) How many on-site visits a single licensing consultant has made since the start of the current fiscal year.

(c) The types of on-site visits and the number of visits for each type that a single consultant has made since the start of the current fiscal year.

(d) The number of providers that have improved their quality rating since the start of the current fiscal year compared to the same time period in the preceding fiscal year, reported as the number of providers in each regional prosperity zone.

(e) The types of activities that are intended to improve licensing consultant performance and child care provider quality and the number of times those activities are performed by the managers and administrators.

(2) The progress reports shall be sent to the state budget director, the house and senate subcommittees that oversee the department of education, and the house and senate fiscal agencies by April 1, 2021 and September 30, 2021.

Sec. 1008. From the amount appropriated in part 1 for office of great start operations, the department shall ensure efficient service provisions to coordinate services provided to families for home visits, reduce duplication of state services and spending, and increase efficiencies including the home visits funded under section 32p of the state school aid act of 1979, 1979 PA 94, MCL 388.1632p, and work with the department of health and human services as necessary.

Sec. 1009. From the funds appropriated in part 1 for child development and care public assistance, the income entrance eligibility threshold for the child development and care program is set to 130% of the federal poverty guidelines from October 1 to December 31 of the fiscal year. From January 1 to September 30 of the fiscal year, the income entrance eligibility threshold for the child development and care program is set to 150% of the federal poverty guidelines.

Sec. 1010. Within 10 days of the receipt of changes to the federal child care and development program, the department shall notify the house and senate chairpersons of the appropriations subcommittees responsible for the department budget, the house and senate fiscal agencies, and the state budget director. The notification shall include, but is not limited to:

(a) Changes to the federal matching award amount, including the amount of state resources necessary to draw down the total matching award.

(b) Changes to the amount of child care and development block grant that is awarded to this state.

(c) Any significant changes to the federal requirements on the child development and care program, indicating any new requirements that would require the appropriation of additional dollars.

Sec. 1011. (1) From the funds appropriated in part 1 for child development and care public assistance, the department shall implement a biweekly block reimbursement rate schedule through the following block segments:

(a) The block segment for a biweekly block reimbursement rate schedule for child care centers, group homes, and registered family homes, for paid part-time plus hours between 1 to 30 hours, shall be reimbursed at the hourly reimbursement rate.

(b) The block segment for a biweekly block reimbursement rate schedule for child care centers, group homes, and registered family homes, for paid part-time plus hours between 31 to 60 hours, shall be reimbursed as 60 hours.

(c) The block segment for a biweekly block reimbursement rate schedule for child care centers, group homes, and registered family homes, for paid full-time plus hours between 61 to 80 hours, shall be reimbursed as 80 hours.

(d) The block segment for a biweekly block reimbursement rate schedule for child care centers, group homes, and registered family homes, for paid full-time plus hours between 81 to 90 hours, shall be reimbursed as 90 hours.

(e) The block segment for a biweekly block reimbursement rate schedule for license exempt providers shall be reimbursed at their current hourly reimbursement rates.

ONE-TIME APPROPRIATIONS

Sec. 1101. From the funds appropriated in part 1 for Educare, $1,000,000.00 shall be awarded by the department to an early childhood collaborative that serves students located in a county with a population of not less than 400,000 or more than 500,000 according to the most recent federal decennial census. The funds shall be used to continue the expansion of early childhood services because of a drinking water declaration of emergency.

ARTICLE 4

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of environment, Great Lakes, and energy for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY			
APPROPRIATION SUMMARY			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	1,418.0		
GROSS APPROPRIATION		**$**	**511,359,200**
Total interdepartmental grants and intradepartmental transfers			3,337,700
ADJUSTED GROSS APPROPRIATIONS		**$**	**508,021,500**
Federal revenues:			
Total federal revenues			171,973,000
Special revenue funds:			
Total local revenues			0
Total private revenues			1,412,800
Total other state restricted revenues			275,191,800
State general fund/general purpose		**$**	**59,443,900**
Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT			
Full-time equated unclassified positions	6.0		

		For Fiscal Year Ending Sept. 30, 2021
Full-time equated classified positions	106.0	
Unclassified salaries—FTE positions	6.0	$ 828,600
Accounting service center		1,470,100
Administrative hearings officers		913,800
Environmental investigations—FTEs	12.0	2,554,900
Environmental support—FTEs	56.0	8,421,200
Environmental support projects		5,000,000
Executive direction—FTEs	14.0	2,385,000
Facilities management		1,000,000
Financial support—FTEs	24.0	3,489,500
Property management		8,557,900
GROSS APPROPRIATION		**$ 34,621,000**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of state police		86,900
IDG from state transportation department		122,100
Federal revenues:		
Federal funds		604,700
Special revenue funds:		
Private funds		750,500
Air emissions fees		986,700
Aquatic nuisance control fund		87,500
Campground fund		29,100
Cleanup and redevelopment fund		2,206,600
Electronic waste recycling fund		42,400
Environmental education fund		196,300
Environmental pollution prevention fund		587,400
Fees and collections		25,000
Financial instruments		8,814,300
Great Lakes protection fund		47,900
Groundwater discharge permit fees		143,500
Infrastructure construction fund		5,300
Laboratory services fees		579,000
Land and water permit fees		224,000
Medical waste emergency response fund		42,400
Metallic mining surveillance fee revenue		10,500
Mineral well regulatory fee revenue		10,500
Nonferrous metallic mineral surveillance		50,700
NPDES fees		408,000
Oil and gas regulatory fund		829,200
Orphan well fund		98,200
Public swimming pool fund		58,500
Public utility assessments		685,700
Public water supply fees		430,300
Refined petroleum fund		3,554,200
Renew Michigan fund		3,090,300
Sand extraction fee revenue		10,500
Scrap tire regulatory fund		235,000
Septage waste program fund		47,900
Sewage sludge land application fee		79,700
Soil erosion and sedimentation control training fund		13,400
Solid waste management fund - staff account		1,135,500

			For Fiscal Year Ending Sept. 30, 2021
Stormwater permit fees			204,300
Strategic water quality initiatives fund			114,400
Underground storage tank cleanup fund			270,900
Wastewater operator training fees			50,600
Water pollution control revolving fund			60,900
Water use reporting fees			23,800
State general fund/general purpose		**$**	**7,566,400**
Sec. 103. OFFICE OF THE GREAT LAKES			
Full-time equated classified positions	15.0		
Great Lakes restoration initiative—FTEs	9.0	$	2,598,800
Office of the Great Lakes—FTEs	6.0		825,300
GROSS APPROPRIATION		**$**	**3,424,100**
Appropriated from:			
Federal revenues:			
Federal funds			2,624,800
Special revenue funds:			
Great Lakes protection fund			506,100
State general fund/general purpose		**$**	**293,200**
Sec. 104. WATER RESOURCES DIVISION			
Full-time equated classified positions	321.0		
Aquatic nuisance control program—FTEs	6.0	$	963,300
Coastal management grants—FTEs	7.0		2,518,500
Expedited water/wastewater permits—FTE	1.0		51,400
Federal - Great Lakes remedial action plan grants			583,800
Federal - nonpoint source water pollution grants			4,083,300
Fish contaminant monitoring			316,100
Great Lakes restoration initiative			3,608,200
Groundwater discharge permit program—FTEs	22.0		3,361,700
Land and water interface permit programs—FTEs	84.0		12,649,600
Nonpoint source pollution prevention and control project program			2,000,000
NPDES nonstormwater program—FTEs	83.0		13,685,200
Program direction and project assistance—FTEs	27.0		3,256,700
Sewage sludge land application program—FTEs	7.0		895,300
Stormwater activities—FTEs	27.5		5,327,200
Surface water—FTEs	51.5		8,685,000
Technology advancements for water monitoring			500,000
Water quality protection grants			100,000
Water withdrawal assessment program—FTEs	5.0		847,500
Wetlands program			1,000,000
GROSS APPROPRIATION		**$**	**64,432,800**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from state transportation department			1,338,700
Federal revenues:			
Federal funds			26,710,300
Special revenue funds:			
Aquatic nuisance control fund			963,300
Clean Michigan initiative fund - clean water fund			2,617,100
Clean Michigan initiative fund - nonpoint source			2,000,000
Environmental response fund			579,800
Groundwater discharge permit fees			1,498,500
Infrastructure construction fund			51,400

			For Fiscal Year Ending Sept. 30, 2021
Land and water permit fees			2,410,300
NPDES fees			4,305,100
Refined petroleum fund			452,000
Sewage sludge land application fee			897,100
Soil erosion and sedimentation control training fund			143,200
Stormwater permit fees			2,268,100
Wastewater operator training fees			304,800
Water pollution control revolving fund			146,800
Water quality protection fund			100,000
Water use reporting fees			257,300
State general fund/general purpose		**$**	**17,389,000**
Sec. 105. AIR QUALITY DIVISION			
Full-time equated classified positions	187.0		
Air quality programs—FTEs	187.0	$	30,534,800
GROSS APPROPRIATION		**$**	**30,534,800**
Appropriated from:			
Federal revenues:			
Federal funds			7,531,200
Special revenue funds:			
Air emissions fees			10,561,800
Fees and collections			213,400
Oil and gas regulatory fund			147,600
Public utility assessments			150,000
Refined petroleum fund			3,781,500
State general fund/general purpose		**$**	**8,149,300**
Sec. 106. REMEDIATION AND REDEVELOPMENT DIVISION			
Full-time equated classified positions	308.0		
Contaminated site investigations, cleanup and revitalization—FTEs	130.0	$	19,167,200
Emergency cleanup actions			2,000,000
Environmental cleanup support			1,000,000
Federal cleanup project management—FTEs	40.0		7,292,500
Laboratory services—FTEs	39.0		6,995,400
Refined petroleum product cleanup program—FTEs	99.0		35,191,200
Superfund cleanup			1,000,000
GROSS APPROPRIATION		**$**	**72,646,300**
Appropriated from:			
Federal revenues:			
Federal funds			6,558,000
Special revenue funds:			
Cleanup and redevelopment fund			24,280,500
Environmental response fund			1,442,100
Laboratory services fees			6,670,900
Public water supply fees			324,500
Refined petroleum fund			33,075,700
State general fund/general purpose		**$**	**294,600**
Sec. 107. UNDERGROUND STORAGE TANK AUTHORITY			
Full-time equated classified positions	5.0		
Underground storage tank cleanup program—FTEs	5.0	$	20,076,200
GROSS APPROPRIATION		**$**	**20,076,200**
Appropriated from:			
Special revenue funds:			
Underground storage tank cleanup fund			20,076,200

			For Fiscal Year Ending Sept. 30, 2021
State general fund/general purpose		**$**	**0**
Sec. 108. RENEWING MICHIGAN'S ENVIRONMENT			
Full-time equated classified positions	133.0		
Mapping and other support—FTEs	5.0	$	4,000,000
Renewing Michigan's environment program—FTEs	128.0		70,060,200
GROSS APPROPRIATION		**$**	**74,060,200**
Appropriated from:			
Special revenue funds:			
Renew Michigan fund			70,060,200
State general fund/general purpose		**$**	**4,000,000**
Sec. 109. INFORMATION TECHNOLOGY			
Information technology services and projects		$	9,614,300
GROSS APPROPRIATION		**$**	**9,614,300**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from department of state police			25,600
IDG from state transportation department			36,800
Federal revenues:			
Federal funds			1,838,700
Special revenue funds:			
Private funds			15,200
Air emissions fees			292,000
Aquatic nuisance control fund			26,400
Campground fund			8,800
Cleanup and redevelopment fund			654,500
Electronic waste recycling fund			12,800
Environmental education fund			4,800
Environmental pollution prevention fund			167,200
Fees and collections			6,400
Financial instruments			1,136,100
Great Lakes protection fund			14,400
Groundwater discharge permit fees			41,600
Infrastructure construction fund			1,600
Laboratory services fees			173,600
Land and water permit fees			66,400
Medical waste emergency response fund			12,800
Metallic mining surveillance fee revenue			3,200
Mineral well regulatory fee revenue			3,200
Nonferrous metallic mineral surveillance			15,200
NPDES fees			122,400
Oil and gas regulatory fund			246,400
Orphan well fund			29,600
Public swimming pool fund			17,600
Public utility assessments			12,800
Public water supply fees			129,600
Refined petroleum fund			1,062,500
Renew Michigan fund			922,500
Sand extraction fee revenue			3,200
Scrap tire regulatory fund			70,400
Septage waste program fund			14,400
Sewage sludge land application fee			24,000
Soil erosion and sedimentation control training fund			4,000

			For Fiscal Year Ending Sept. 30, 2021
Solid waste management fund - staff account			340,800
Stormwater permit fees			61,600
Strategic water quality initiatives fund			34,400
Underground storage tank cleanup fund			81,600
Wastewater operator training fees			15,200
Water pollution control revolving fund			18,400
Water use reporting fees			7,200
State general fund/general purpose		**$**	**1,838,400**
Sec. 110. CLIMATE AND ENERGY			
Full-time equated classified positions	3.0		
Office of climate and energy—FTEs	3.0	$	263,800
GROSS APPROPRIATION		**$**	**263,800**
Appropriated from:			
Federal revenues:			
Federal funds			49,700
Special revenue funds:			
Public utility assessments			39,700
State general fund/general purpose		**$**	**174,400**
Sec. 111. DRINKING WATER AND ENVIRONMENTAL HEALTH			
Full-time equated classified positions	125.0		
Drinking water—FTEs	68.0	$	11,962,700
Drinking water program grants			830,000
Environmental health—FTEs	57.0		7,228,500
Noncommunity water grants			1,905,700
Septage waste compliance grants			275,000
GROSS APPROPRIATION		**$**	**22,201,900**
Appropriated from:			
Federal revenues:			
Federal funds			10,602,600
Special revenue funds:			
Campground fund			310,200
Fees and collections			34,500
Public swimming pool fund			640,300
Public water supply fees			4,337,700
Refined petroleum fund			742,800
Septage waste program fund			501,900
Wastewater operator training fees			264,800
State general fund/general purpose		**$**	**4,767,100**
Sec. 112. MATERIALS MANAGEMENT DIVISION			
Full-time equated classified positions	129.0		
Environmental sustainability and stewardship—FTEs	11.0	$	11,231,000
Hazardous waste management program—FTEs	45.0		5,851,200
Low-level radioactive waste authority—FTEs	2.0		246,200
Medical waste program—FTEs	2.0		321,200
Pollution prevention—FTEs	7.0		2,316,700
Radiological protection program—FTEs	12.0		2,042,900
Recycling initiative—FTEs	3.0		1,026,000
Scrap tire grants			6,500,000
Scrap tire regulatory program—FTEs	10.0		1,374,300
Solid waste management program—FTEs	37.0		6,674,200
GROSS APPROPRIATION		**$**	**37,583,700**

			For Fiscal Year Ending Sept. 30, 2021
Appropriated from:			
Interdepartmental grant revenues:			
IDG from department of state police			1,727,600
Federal revenues:			
Federal funds			12,162,800
Special revenue funds:			
Private funds			647,100
Cleanup and redevelopment fund			1,026,000
Coal ash care fund			260,000
Community pollution prevention fund			250,000
Electronic waste recycling fund			321,100
Energy efficiency and renewable energy revolving loan fund			250,000
Environmental pollution prevention fund			3,989,100
Medical waste emergency response fund			321,200
Public utility assessments			1,785,800
Retired engineers technical assistance program fund			491,200
Scrap tire regulatory fund			7,874,300
Small business pollution prevention revolving loan fund			134,400
Solid waste management fund - staff account			6,093,100
Technologically enhanced naturally occurring radioactive material			250,000
State general fund/general purpose		**$**	**0**
Sec. 113. OIL, GAS, AND MINERALS DIVISION			
Full-time equated classified positions	57.0		
Oil, gas, and mineral services—FTEs	57.0	$	11,312,600
GROSS APPROPRIATION		**$**	**11,312,600**
Appropriated from:			
Special revenue funds:			
Metallic mining surveillance fee revenue			92,500
Mineral well regulatory fee revenue			208,000
Native copper mine fund			50,000
Nonferrous metallic mineral surveillance			371,800
Oil and gas regulatory fund			3,758,200
Orphan well fund			2,334,800
Sand extraction fee revenue			85,800
State general fund/general purpose		**$**	**4,411,500**
Sec. 114. WATER INFRASTRUCTURE			
Full-time equated classified positions	29.0		
Municipal assistance—FTEs	29.0	$	5,027,500
Water state revolving funds			120,000,000
GROSS APPROPRIATION		**$**	**125,027,500**
Appropriated from:			
Federal revenues:			
Federal funds			103,290,200
Special revenue funds:			
Revolving loan revenue bonds			15,000,000
Strategic water quality initiatives fund			1,224,400
Water pollution control revolving fund			512,900
State general fund/general purpose		**$**	**5,000,000**
Sec. 115. ONE-TIME APPROPRIATIONS			
Blanchard Dam bond inspection and repair needs study		$	10,000
Cooperative lakes monitoring program			150,000
Environmental cleanup project (one-time)			600,000

		For Fiscal Year Ending Sept. 30, 2021
Lead and copper rule support		2,750,000
Michigan geological survey		500,000
Multistate aquifer study		500,000
Water treatment plant project		450,000
Watershed council grants		600,000
GROSS APPROPRIATION	**$**	**5,560,000**
Appropriated from:		
Special revenue funds:		
State general fund/general purpose	**$**	**5,560,000**

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $334,635,700.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $44,000,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY		
Drinking water program grants	$	600,000
Emergency cleanup actions		116,000
Environmental cleanup project (one-time)		600,000
Lead and copper rule support		2,750,000
Medical waste program		70,000
Noncommunity water grants		1,866,600
Pollution prevention		250,000
Recycling initiative	$	500,000
Refined petroleum product cleanup program		5,000,000
Renewing Michigan's environment		25,000,000
Scrap tire grants	$	6,000,000
Septage waste compliance grants		138,000
Surface water		160,000
Technology advancements for water monitoring		500,000
Water treatment plant project		450,000
TOTAL	**$**	**44,000,600**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "Department" means the department of environment, Great Lakes, and energy.

(b) "Director" means the director of the department.

(c) "FTE" means full-time equated.

(d) "IDG" means interdepartmental grant.

(e) "NPDES" means national pollution discharge elimination system.

Sec. 204. The department shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the senate or house or a member's staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 207. The department shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by the department to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees and the senate and house fiscal agencies.

Sec. 210. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $3,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the senate and house appropriations subcommittees on natural resources and environmental quality, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $38,906,900.00. From this amount, total department appropriations for pension-related legacy costs are estimated at $18,668,000.00. Total department appropriations for retiree health care legacy costs are estimated at $20,238,900.00.

Sec. 215. To the extent permissible under the management and budget act, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the senate and house subcommittees on natural resources and environmental quality, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 221. (1) Funds appropriated in part 1 shall not be used by the department to promulgate a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(2) As used in this section:

(a) “Rule” means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

(b) “Small business” means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.

Sec. 222. (1) The department shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanups, emergency actions, superfund cleanups, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the refined petroleum product cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

(a) The name and location of the site for which an allocation is made.

(b) The nature of the problem encountered at the site.

(c) A brief description of how the problem will be resolved if the allocation is made for a response activity.

(d) The estimated date that site closure activities will be completed.

(e) The amount of the allocation, or the anticipated financing for the site.

(f) A summary of the sites and the total amount of funds expended at the sites by September 30, 2021.

(g) The number of brownfield projects that were successfully redeveloped.

(2) The report prepared under subsection (1) shall also include all of the following:

(a) The status of all state-owned facilities that are on the list compiled under section 20108c of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20108c.

(b) The report shall include the total amount of funds expended during the fiscal year and the total amount of funds awaiting expenditure.

(c) The total amount of bonds issued for the environmental protection bond program pursuant to part 193 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19301 to 324.19306, and bonds issued pursuant to the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

(3) The report shall be made available by March 31 of each year.

Sec. 223. (1) The department may expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program, the refined petroleum product cleanup program, brownfield grants and loans, waterfront grants, and the environmental bond site reclamation program.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 2003 PA 173, 2005 PA 109, 2006 PA 343, 2011 PA 63, and 2012 PA 236 are appropriated for expenditure for any site listed in this part and part 1 and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 52, 2004 PA 309, 2005 PA 11, 2006 PA 343, 2007 PA 121, 2011 PA 63, 2013 PA 59, 2014 PA 252, 2015 PA 84, 2016 PA 268, and 2017 PA 107 are appropriated for expenditure for any site listed in this part and part 1 and any site listed in the public acts referenced in this section.

(4) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2007 PA 121, 2008 PA 247, 2009 PA 118, 2010 PA 189, 2011 PA 63, 2012 PA 200, 2013 PA 59, 2014 PA 252, 2015 PA 84, 2016 PA 268, 2017 PA 107, 2018 PA 207, and 2019 PA 57 are appropriated for expenditure for any site listed in this part and part 1 and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from the appropriations from the strategic water quality initiatives fund contained in 2011 PA 50, 2011 PA 63, 2012 PA 200, 2013 PA 59, 2014 PA 252, 2015 PA 84, 2016 PA 268, 2017 PA 107, and 2018 PA 207 are appropriated for expenditure for any site listed in this part and part 1 and any site listed in the public acts referenced in this section.

Sec. 224. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of $2,500,000.00.

Sec. 235. The department shall prepare an annual report to the legislature by March 31 that details all of the following for each of the allocations from the clean Michigan initiative bond fund as described in section 19607(1)(a) to (i) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19607:

(a) The progress of each project funded in each category.

(b) The current cost to date of each project funded in each category.

(c) The estimated remaining cost of each project funded in each category.

(d) The remaining balance of money in the fund allocated for each category.

(e) The total debt obligation on all clean Michigan initiative bonds and the length of time remaining until full bond repayment is achieved.

Sec. 236. The department shall provide a report detailing the expenditure of departmental funds appropriated in 2015 PA 143, 2016 PA 3, 2016 PA 268, and 2016 PA 340. The report shall include the following:

(a) The names and locations of entities receiving funds.

(b) The purpose for each expenditure.

(c) The status of programs supported by this funding.

(d) A brief description of how related problems have been or will be resolved if expenditures are made for immediate response.

(e) The job titles and number of departmental FTEs engaged in the Flint declaration of emergency response effort.

Sec. 237. From the funds appropriated in part 1, the department shall be responsible for the necessary and reasonable attorney fees and costs incurred by private and independent legal counsel chosen by current and former classified and unclassified department employees in the defense of the department employees named as a party in any state or federal lawsuits or investigations related to the city of Flint municipal water system.

REMEDIATION AND REDEVELOPMENT DIVISION

Sec. 301. Revenues remaining in the laboratory services fees fund at the end of the fiscal year shall carry forward into the succeeding fiscal year.

Sec. 305. It is the intent of the legislature to repay the refined petroleum fund for the $70,000,000.00 that was transferred to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a, as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 306. (1) The funds appropriated in part 1 for the refined petroleum cleanup program shall be used to fund corrective actions performed by the department pursuant to section 21320 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21320.

(2) By January 1, the department shall provide a report to the house and senate subcommittees on environmental quality and the state budget director on the refined petroleum product cleanup program containing the following information:

(a) A list of sites the department intends to work on during the current fiscal year, including the fiscal year the project began.

(b) A list of sites at which the department performed corrective actions during the previous fiscal year.

(c) A list of sites the department closed during the previous fiscal year.

Sec. 308. The unexpended funds appropriated in part 1 for emergency cleanup actions and the refined petroleum product cleanup program are designated as work project appropriations, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects is to provide contaminated site cleanup.

(b) The projects will be accomplished by utilizing contracts with service providers.

(c) The total estimated cost of all projects is identified in each line-item appropriation.

(d) The tentative completion date is September 30, 2025.

Sec. 310. (1) Upon approval by the state budget director, the department may expend from the general fund of the state an amount to meet the cash-flow requirements of projects funded under any of the following that are financed from bond proceeds and for which bonds have been authorized but not yet issued:

(a) Part 52 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5201 to 324.5206.

(b) Part 193 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19301 to 324.19306.

(c) Part 196 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19601 to 324.19616.

(2) Upon the sale of bonds for projects described in subsection (1), the department shall credit the general fund of the state an amount equal to that expended from the general fund.

WATER RESOURCES DIVISION

Sec. 401. From the funds appropriated in part 1 for land and water interface permit programs, not less than $350,000.00 and not fewer than 2.0 FTE positions are allocated for dam safety programs. These amounts are in addition to any funding and FTEs utilized for this purpose in the fiscal year ending September 30, 2020.

Sec. 405. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the department may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

Sec. 410. From the funds appropriated in part 1, the department shall compile a report by November 1 on the status of the implementation plan for the western Lake Erie basin collaborative agreement. In an effort to learn more about the presence and timing of harmful algal blooms, the report shall contain all of the following:

(a) An estimated cost of removal of total phosphorus per pound at the 4 major wastewater treatment plants.

(b) A description of the grants that have been awarded.

(c) A description of the work that has commenced on the issue of dissolved reactive phosphorus, the expected objectives and outcomes of that work, and a list of the parties involved in that effort.

(d) A description of the efforts and outcomes aimed at the total phosphorus reduction for the River Raisin watershed.

UNDERGROUND STORAGE TANK AUTHORITY

Sec. 701. The unexpended funds appropriated in part 1 for the underground storage tank cleanup program are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide contaminated site cleanup.

(b) The project will be accomplished by utilizing contracts with service providers.

(c) The total estimated cost of the project is $20,000,000.00.

(d) The tentative completion date is September 30, 2025.

MATERIALS MANAGEMENT DIVISION

Sec. 901. In addition to the money appropriated in part 1, the department may receive and expend money from the Volkswagen Environmental Mitigation Trust Agreement to provide funding for activities as outlined within the State's Mitigation Plan. The department shall prepare an annual report to the appropriations subcommittees, the fiscal agencies, and the state budget office by February 1, 2022 of the expenditures incurred under this section during the fiscal year ending September 30, 2021.

Sec. 902. From the funds appropriated in part 1 for scrap tire grants, the department shall award $3,000,000.00 for a project based on a previously submitted grant application in a county with a population between 29,000 and 30,000 according to the most recent federal decennial census.

ONE-TIME APPROPRIATIONS

Sec. 1005. (1) If funds become available, the department shall award grants to local health departments to provide free or low-cost water testing to private well owners. Testing offered shall include coliforms, nitrates/nitrites, arsenic, and other contaminants as determined by application.

(2) On or before April 1, the department shall transmit to the appropriations subcommittees, the fiscal agencies, and the state budget office and post on the department's website a report on the previous calendar year's activities funded with private well testing funds. The report shall include a list of all grantees and award amounts.

Sec. 1006. From the funds appropriated in part 1 for Blanchard Dam bond inspection and repair needs study, $10,000.00 is allocated for the department to conduct a study of dam repair needs and for dam inspection in a county with a population between 70,000 and 70,500 according to the most recent federal decennial census.

Sec. 1007. From funds appropriated in part 1 for cooperative lakes monitoring program, $150,000.00 is allocated to the continuation of the department's contract for the cooperative lakes monitoring program to ensure the continued operation of the program.

Sec. 1008. From the funds appropriated in part 1 for environmental cleanup project (one-time), $600,000.00 shall be awarded to a city with a population between 29,000 and 30,000 located in a county with a population between 1,000,000 and 1,500,000 according to the most recent federal decennial census. The grant shall be used to support the demolition costs of an electroplating services building.

Sec. 1009. (1) From the funds appropriated in part 1 for lead and copper rule support, $2,500,000.00 shall be awarded to a city with a population of between 3,000 and 3,100 located in a county with a population of between 30,900 and 31,000 according to the most recent federal decennial census for water line replacement.

(2) From the funds appropriated in part 1 for lead and copper support, $250,000.00 shall be awarded to a city with a population of between 29,900 and 31,000 located in a county with a population of between 425,700 and 425,800 according to the most recent federal decennial census for water line replacement.

Sec. 1010. (1) From the funds appropriated in part 1 for Michigan geological survey, the department shall award $500,000.00 for the Michigan geological survey.

(2) The unexpended funds appropriated in part 1 for Michigan geological survey are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide funding for the facilitation of basic and applied geological research of Michigan's geological resources.

(b) The project will be accomplished through funding to a 4-year state university for the operation and maintenance of the survey.

(c) The total estimated cost of the work project is $500,000.00.

(d) The tentative completion date is September 30, 2022.

Sec. 1011. (1) From the funds appropriated in part 1 for multistate aquifer study, the department, in coordination with the United States Geological Survey, shall award an amount not to exceed $500,000.00 to support a study, including the acquisition of necessary equipment, to determine an estimated storage capacity and maximum yield of the Michindoh Aquifer.

(2) The unexpended funds appropriated in part 1 multistate aquifer study are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide funding to support a study on estimated storage capacity and maximum yield of the Michindoh Aquifer.

(b) The project will be accomplished by utilizing contracts with service providers.

(c) The total estimated cost of the work project is $500,000.00.

(d) The tentative completion date is September 30, 2022.

Sec. 1012. From the funds appropriated in part 1 for water treatment plant project, $450,000.00 shall be awarded for a water treatment plant project located in a county with a population of between 250,300 and 250,400 and in a city with a population of between 1,800 and 1,900 according to the most recent federal decennial census.

Sec. 1013. (1) From the funds appropriated in part 1 for watershed council grants, $600,000.00 in grant funds shall be awarded to watershed councils for education, administration, and conservation efforts. A grant to an individual watershed council shall not exceed $40,000.00.

(2) On or before April 1, the department shall transmit to the appropriations subcommittees, the fiscal agencies, and the state budget office and post on the department's website a report on the previous calendar year's activities of the watershed grant program. The report shall include a list of all grantees and award amounts.

ARTICLE 5

GENERAL GOVERNMENT

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of labor and economic opportunity, and certain state purposes related thereto for the fiscal year ending September 30, 2021, from the following funds:

TOTAL GENERAL GOVERNMENT			
APPROPRIATION SUMMARY			
Full-time equated unclassified positions	78.5		
Full-time equated classified positions	9,915.5		
GROSS APPROPRIATION		**$**	**6,052,943,700**
Total interdepartmental grants and intradepartmental transfers			1,099,669,700
ADJUSTED GROSS APPROPRIATION		**$**	**4,953,274,000**
Federal revenues:			
Total federal revenues			1,185,185,200
Special revenue funds:			
Total local revenues			26,297,200
Total private revenues			11,950,100
Total other state restricted revenues			2,432,301,600
State general fund/general purpose		**$**	**1,297,539,900**
Sec. 102. DEPARTMENT OF ATTORNEY GENERAL			
(1) APPROPRIATION SUMMARY			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	537.4		
GROSS APPROPRIATION		**$**	**106,828,600**
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			35,285,800
ADJUSTED GROSS APPROPRIATION		**$**	**71,542,800**
Federal revenues:			
Total federal revenues			9,906,100
Special revenue funds:			
Total local revenues			0
Total private revenues			0
Total other state restricted revenues			20,488,300
State general fund/general purpose		**$**	**41,148,400**
(2) ATTORNEY GENERAL OPERATIONS			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	537.4		
Unclassified positions—FTEs	5.0	$	828,500
Attorney general			112,500
Child support enforcement—FTEs	25.0		3,677,700
Operations—FTEs	494.4		96,003,900
Prosecuting attorneys coordinating council—FTEs	12.0		2,228,500
Public safety initiative—FTE	1.0		888,600
Sexual assault law enforcement—FTEs	5.0		1,459,500
GROSS APPROPRIATION		**$**	**105,199,200**

Appropriated from:

	For Fiscal Year Ending Sept. 30, 2021
Interdepartmental grant revenues:	
IDG from MDOC	699,600
IDG from MDE	791,300
IDG from EGLE	2,135,700
IDG from MDHHS, health policy	313,600
IDG from MDHHS, human services	6,535,400
IDG from MDHHS, medical services administration	734,300
IDG from MDHHS, WIC	354,700
IDG from MDIFS, financial and insurance services	1,219,600
IDG from LEO, Michigan occupational safety and health administration	200,000
IDG from LEO, workforce development	95,700
IDG from MDLARA, bureau of marijuana regulatory agency	1,468,300
IDG from MDLARA, fireworks safety fund	87,300
IDG from MDLARA, health professions	3,237,700
IDG from MDLARA, licensing and regulation fees	767,600
IDG from MDLARA, remonumentation fees	113,200
IDG from MDLARA, securities fees	744,900
IDG from MDLARA, unlicensed builders	1,128,300
IDG from MDMVA	176,100
IDG from MDOS, children's protection registry	45,000
IDG from MDOT, comprehensive transportation fund	107,800
IDG from MDOT, state aeronautics fund	188,200
IDG from MDOT, state trunkline fund	2,135,900
IDG from MDSP	277,400
IDG from MDTMB	1,285,700
IDG from MDTMB, civil service commission	327,400
IDG from MDTMB, risk management revolving fund	1,347,100
IDG from Michigan state housing development authority	1,227,600
IDG from Michigan strategic fund	192,400
IDG from treasury	7,348,000
DAG, state administrative match grant/food stamps	137,000
Federal revenues:	
Federal funds	3,316,500
HHS, medical assistance, medigrant	403,900
HHS-OS, state Medicaid fraud control units	5,927,500
National criminal history improvement program	121,200
Special revenue funds:	
Antitrust enforcement collections	813,000
Attorney general's operations fund	1,118,200
Auto repair facilities fees	351,600
Franchise fees	407,900
Game and fish protection fund	659,300
Human trafficking commission fund	170,000
Lawsuit settlement proceeds fund	2,643,900
Liquor purchase revolving fund	1,568,700
Michigan merit award trust fund	526,600
Michigan employment security act - administrative fund	2,387,700
Michigan state waterways fund	147,000
Mobile home code fund	263,900
Prisoner reimbursement	556,100
Prosecuting attorneys training fees	419,800
Public utility assessments	2,108,100

			For Fiscal Year Ending Sept. 30, 2021
Reinstatement fees			273,600
Retirement funds			1,116,300
Second injury fund			638,200
Self-insurers security fund			392,800
Silicosis and dust disease fund			112,400
State building authority revenue			130,300
State casino gaming fund			1,892,700
State lottery fund			370,400
Utility consumer representation fund			1,031,800
Worker's compensation administrative revolving fund			388,000
State general fund/general purpose		**$**	**39,519,000**
(3) INFORMATION TECHNOLOGY			
Information technology services and projects		$	1,629,400
GROSS APPROPRIATION		**$**	**1,629,400**
Appropriated from:			
State general fund/general purpose		**$**	**1,629,400**
Sec. 103. DEPARTMENT OF CIVIL RIGHTS			
(1) APPROPRIATION SUMMARY			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	110.0		
GROSS APPROPRIATION		**$**	**18,037,400**
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			299,800
ADJUSTED GROSS APPROPRIATION		**$**	**17,737,600**
Federal revenues:			
Total federal revenues			2,868,200
Special revenue funds:			
Total local revenues			0
Total private revenues			18,700
Total other state restricted revenues			58,500
State general fund/general purpose		**$**	**14,792,200**
(2) CIVIL RIGHTS OPERATIONS			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	110.0		
Unclassified salaries—FTEs	6.0	$	725,600
Complaint investigation and enforcement—FTEs	40.0		6,334,600
Division on deaf, deafblind, and hard of hearing—FTEs	6.0		736,600
Executive office—FTEs	24.0		3,141,600
Law and policy—FTEs	28.0		3,159,200
Museums support			1,500,000
Public affairs—FTEs	12.0		1,683,800
GROSS APPROPRIATION		**$**	**17,281,400**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from DTMB			299,800
Federal revenues:			
EEOC, state and local antidiscrimination agency contracts			1,242,800
HUD, grant			1,610,400
Special revenue funds:			
Private revenues			18,700
State restricted indirect funds			58,500
State general fund/general purpose		**$**	**14,051,200**

			For Fiscal Year Ending Sept. 30, 2021
(3) INFORMATION TECHNOLOGY			
Information technology services and projects		$	756,000
GROSS APPROPRIATION		**$**	**756,000**
Appropriated from:			
Federal revenues:			
EEOC, state and local antidiscrimination agency contracts			15,000
State general fund/general purpose		**$**	**741,000**
Sec. 104. EXECUTIVE OFFICE			
(1) APPROPRIATION SUMMARY			
Full-time equated unclassified positions	10.0		
Full-time equated classified positions	79.2		
GROSS APPROPRIATION		**$**	**7,114,300**
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			0
ADJUSTED GROSS APPROPRIATIONS		**$**	**7,114,300**
Federal revenues:			
Total federal revenues			0
Special revenue funds:			
Total local revenues			0
Total private revenues			0
Total other state restricted revenues			0
State general fund/general purpose		**$**	**7,114,300**
(2) EXECUTIVE OFFICE OPERATIONS			
Full-time equated unclassified positions	10.0		
Full-time equated classified positions	79.2		
Unclassified salaries—FTEs	8.0	$	1,360,200
Governor			159,300
Lieutenant governor			111,600
Executive office—FTEs	79.2		5,483,200
GROSS APPROPRIATION		**$**	**7,114,300**
Appropriated from:			
State general fund/general purpose		**$**	**7,114,300**
Sec. 105. LEGISLATURE			
(1) APPROPRIATION SUMMARY			
GROSS APPROPRIATION		**$**	**202,453,800**
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			6,250,400
ADJUSTED GROSS APPROPRIATIONS		**$**	**196,203,400**
Federal revenues:			
Total federal revenues			0
Special revenue funds:			
Total local revenues			0
Total private revenues			400,000
Total other state restricted revenues			6,776,800
State general fund/general purpose		**$**	**189,026,600**
(2) LEGISLATURE			
Senate		$	42,646,900
Senate automated data processing			2,731,600
Senate fiscal agency			4,050,400
Senate census tracking/reapportionment			170,000
House of representatives			62,900,200
House automated data processing			2,731,600

		For Fiscal Year Ending Sept. 30, 2021
House fiscal agency		4,050,400
House of representatives census tracking/reapportionment		170,000
GROSS APPROPRIATION	**$**	**119,451,100**
Appropriated from:		
State general fund/general purpose	**$**	**119,451,100**
(3) LEGISLATIVE COUNCIL		
Legislative corrections ombudsman	$	1,006,900
Legislative council		14,253,500
Legislative IT systems design project		765,000
Legislative service bureau automated data processing		1,775,500
Michigan veterans facility ombudsman		315,200
National association dues		601,800
Worker's compensation		151,400
Independent citizens redistricting commission		3,149,400
GROSS APPROPRIATION	**$**	**22,018,700**
Appropriated from:		
Special revenue funds:		
Private - gifts and bequests		400,000
State general fund/general purpose	**$**	**21,618,700**
(4) LEGISLATIVE RETIREMENT SYSTEM		
General nonretirement expenses	$	5,370,700
GROSS APPROPRIATION	**$**	**5,370,700**
Appropriated from:		
Special revenue funds:		
Court fees		1,249,800
State general fund/general purpose	**$**	**4,120,900**
(5) PROPERTY MANAGEMENT		
Binsfeld Office Building and other properties	$	8,436,300
Cora Anderson Building		12,365,100
GROSS APPROPRIATION	**$**	**20,801,400**
Appropriated from:		
State general fund/general purpose	**$**	**20,801,400**
(6) STATE CAPITOL HISTORIC SITE		
Bond/lease obligations	$	100
General operations		4,710,400
Restoration, renewal, and maintenance		3,387,500
GROSS APPROPRIATION	**$**	**8,098,000**
Appropriated from:		
Special revenue funds:		
Capitol historic site fund		3,387,500
State general fund/general purpose	**$**	**4,710,500**
(7) OFFICE OF THE AUDITOR GENERAL		
Unclassified positions	$	370,700
Field operations		26,343,200
GROSS APPROPRIATION	**$**	**26,713,900**
Appropriated from:		
Interdepartmental grant revenues:		
IDG, emp ben div postemployment life insurance benefit		20,600
IDG from LEO, self-insurers security fund		87,400
IDG from DHHS, human services		33,500
IDG from MDLARA, liquor purchase revolving fund		105,000
IDG from MDMVA, Michigan veterans facility authority		53,600

			For Fiscal Year Ending Sept. 30, 2021
IDG from MDOT, comprehensive transportation fund			42,600
IDG from MDOT, Michigan transportation fund			345,000
IDG from MDOT, state aeronautics fund			33,300
IDG from MDOT, state trunkline fund			801,500
IDG, legislative retirement system			31,900
IDG, single audit act			2,800,000
IDG, commercial mobile radio system emergency telephone fund			40,200
IDG, contract audit administration fees			61,800
IDG, deferred compensation funds			99,100
IDG, Michigan finance authority			321,900
IDG, Michigan economic development corporation			123,600
IDG, Michigan education trust fund			66,000
IDG, Michigan justice training commission fund			44,700
IDG, Michigan strategic fund			200,900
IDG, office of retirement services			854,000
IDG, other restricted funding sources			83,800
Special revenue funds:			
21st century jobs trust fund			105,300
Brownfield development fund			30,800
Clean Michigan initiative implementation bond fund			59,600
Game and fish protection fund			34,300
MDTMB, civil service commission			181,600
Michigan state housing development authority fees			124,100
Michigan veterans' trust fund			2,100
Michigan veterans' trust fund income and assessments			23,700
Motor transport revolving fund			8,000
Office services revolving fund			11,000
State disbursement unit, office of child support			62,700
State services fee fund			1,483,900
Waterways fund			12,400
State general fund/general purpose		**$**	**18,324,000**
Sec. 106. DEPARTMENT OF STATE			
(1) APPROPRIATION SUMMARY			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	1,586.0		
GROSS APPROPRIATION		**$**	**254,297,500**
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			20,000,000
ADJUSTED GROSS APPROPRIATION		**$**	**234,297,500**
Federal revenues:			
Total federal revenues			1,460,000
Special revenue funds:			
Total local revenues			0
Total private revenues			50,100
Total other state restricted revenues			220,189,900
State general fund/general purpose		**$**	**12,597,500**
(2) DEPARTMENTAL ADMINISTRATION AND SUPPORT			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	140.0		
Secretary of state		$	112,500
Unclassified salaries—FTEs	5.0		691,100

			For Fiscal Year Ending Sept. 30, 2021
Executive direction—FTEs	30.0		4,836,500
Operations—FTEs	110.0		26,233,200
Property management			10,029,300
Worker's compensation			209,200
GROSS APPROPRIATION		**$**	**42,111,800**
Appropriated from:			
Special revenue funds:			
Abandoned vehicle fees			239,800
Auto repair facilities fees			131,900
Children's protection registry fund			270,700
Driver fees			2,496,000
Driver improvement course fund			308,200
Enhanced driver license and enhanced official state personal identification card fund			2,018,400
Parking ticket court fines			437,400
Personal identification card fees			288,100
Reinstatement fees - operator licenses			791,700
Scrap tire fund			78,600
Transportation administration collection fund			34,109,200
State general fund/general purpose		**$**	**941,800**
(3) LEGAL SERVICES			
Full-time equated classified positions	149.0		
Operations—FTEs	149.0	$	21,045,000
GROSS APPROPRIATION		**$**	**21,045,000**
Appropriated from:			
Special revenue funds:			
Auto repair facilities fees			3,065,500
Driver fees			1,594,300
Enhanced driver license and enhanced official state personal identification card fund			2,736,100
Reinstatement fees - operator licenses			952,800
Transportation administration collection fund			11,212,600
Vehicle theft prevention fees			1,108,200
State general fund/general purpose		**$**	**375,500**
(4) CUSTOMER DELIVERY SERVICES			
Full-time equated classified positions	1,252.0		
Branch operations—FTEs	925.0	$	93,070,500
Central operations—FTEs	325.0		48,876,800
Motorcycle safety education administration—FTEs	2.0		648,800
Motorcycle safety education grants			1,800,000
Organ donor program			129,100
GROSS APPROPRIATION		**$**	**144,525,200**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from MDOT, Michigan transportation fund			20,000,000
Federal revenues:			
DOT			860,000
OHSP			600,000
Special revenue funds:			
Private funds			100
Thomas Daley gift of life fund			50,000

			For Fiscal Year Ending Sept. 30, 2021
Abandoned vehicle fees			450,900
Auto repair facilities fees			763,700
Child support clearance fees			363,600
Driver education provider and instructor fund			75,000
Driver fees			22,173,700
Driver improvement course fund			1,219,800
Enhanced driver license and enhanced official state personal identification card fund			10,864,600
Expedient service fees			2,931,000
Marine safety fund			1,553,700
Michigan state police auto theft fund			123,700
Mobile home commission fees			507,500
Motorcycle safety and education awareness fund			300,000
Motorcycle safety fund			1,848,800
Off-road vehicle title fees			170,700
Parking ticket court fines			1,640,000
Personal identification card fees			2,379,700
Recreation passport fee revenue			1,000,000
Reinstatement fees - operator licenses			2,368,800
Snowmobile registration fee revenue			390,000
State lottery fund			1,015,800
Transportation administration collection fund			67,549,100
Vehicle theft prevention fees			786,000
State general fund/general purpose		**$**	**2,539,000**
(5) ELECTION REGULATION			
Full-time equated classified positions	45.0		
County clerk education and training fund		$	100,000
Election administration and services—FTEs	45.0		7,487,700
Fees to local units			109,800
GROSS APPROPRIATION		**$**	**7,697,500**
Appropriated from:			
Special revenue funds:			
Notary education and training fund			100,000
Notary fee fund			343,500
State general fund/general purpose		**$**	**7,254,000**
(6) INFORMATION TECHNOLOGY			
Information technology services and projects		$	38,918,000
GROSS APPROPRIATION		**$**	**38,918,000**
Appropriated from:			
Special revenue funds:			
Administrative order processing fee			11,700
Auto repair facilities fees			129,000
Driver fees			785,700
Enhanced driver license and enhanced official state personal identification card fund			348,100
Expedient service fees			1,094,600
Parking ticket court fines			88,800
Personal identification card fees			172,900
Reinstatement fees - operator licenses			591,000
Transportation administration collection fund			34,028,400
Vehicle theft prevention fees			180,600
State general fund/general purpose		**$**	**1,487,200**

		For Fiscal Year Ending Sept. 30, 2021
Sec. 107. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET		
(1) APPROPRIATION SUMMARY		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	3,133.0	
GROSS APPROPRIATION		**$ 1,671,705,000**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		1,024,720,900
ADJUSTED GROSS APPROPRIATION		**$ 646,984,100**
Federal revenues:		
Total federal revenues		5,139,300
Special revenue funds:		
Total local revenues		2,337,700
Total private revenues		134,600
Total other state restricted revenues		123,046,400
State general fund/general purpose		**$ 516,326,100**
(2) DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	851.5	
Unclassified salaries—FTEs	6.0	$ 946,600
Administrative services—FTEs	165.5	25,279,200
Budget and financial management—FTEs	178.0	36,927,200
Building operation services—FTEs	255.0	94,123,600
Bureau of labor market information and strategies—FTEs	44.0	5,917,900
Business support services—FTEs	104.0	13,566,300
Design and construction services—FTEs	40.0	6,913,600
Executive operations—FTEs	12.0	2,510,700
Motor vehicle fleet—FTEs	39.0	82,043,000
Office of the state employer—FTEs	14.0	1,731,500
Property management		8,059,900
GROSS APPROPRIATION		**$ 278,019,500**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from accounting service centers user charges		5,230,500
IDG from building occupancy and parking charges		96,276,000
IDG from MDHHS, community health		508,100
IDG from MDHHS, human services		236,300
IDG from MDLARA		100,000
IDG from motor transport fund		82,043,000
IDG from technology user fees		11,206,200
IDG from user fees		7,007,100
Federal revenues:		
Federal funds		5,139,300
Special revenue funds:		
Local - MPSCS subscriber and maintenance fees		21,200
Local funds		35,000
Private funds		134,600
Health management funds		425,600
Other agency charges		1,260,400
SIGMA user fees		2,150,000
Special revenue, internal service, and pension trust funds		19,519,600
State restricted indirect funds		3,175,100

			For Fiscal Year Ending Sept. 30, 2021
State general fund/general purpose		**$**	**43,551,500**
(3) TECHNOLOGY SERVICES			
Full-time equated classified positions	1,641.5		
Education services—FTEs	33.0	$	4,932,700
Enterprise identity management—FTEs	17.0		9,706,200
General services—FTEs	356.5		130,561,500
Health and human services—FTEs	656.5		556,387,300
Homeland security initiative/cyber security—FTEs	25.0		14,174,700
Information technology investment fund			32,500,000
Michigan public safety communication system—FTEs	137.0		48,505,600
Public protection—FTEs	162.5		63,079,800
Resources services—FTEs	154.5		22,271,100
Transportation services—FTEs	99.5		39,048,400
GROSS APPROPRIATION		**$**	**921,167,300**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from technology user fees			816,280,800
Special revenue funds:			
Local - MPSCS subscriber and maintenance fees			2,281,500
State general fund/general purpose		**$**	**102,605,000**
(4) STATEWIDE APPROPRIATIONS			
Professional development fund - AFSCME		$	50,000
Professional development fund - MPE, SEIU, scientific and engineering unit			100,000
Professional development fund - MPE, SEIU, technical unit			50,000
Professional development fund - NERE			200,000
Professional development fund - UAW			700,000
GROSS APPROPRIATION		**$**	**1,100,000**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from employer contributions			1,100,000
State general fund/general purpose		**$**	**0**
(5) SPECIAL PROGRAMS			
Full-time equated classified positions	181.0		
Office of children's ombudsman—FTEs	14.0	$	1,931,400
Property management executive/legislative			1,285,200
Retirement services—FTEs	167.0		25,451,200
Venture Michigan fund II voucher purchase			37,200,000
GROSS APPROPRIATION		**$**	**65,867,800**
Appropriated from:			
Special revenue funds:			
Deferred compensation			2,800,000
Pension trust funds			22,574,200
State general fund/general purpose		**$**	**40,493,600**
(6) STATE BUILDING AUTHORITY RENT			
State building authority rent - community colleges		$	33,181,600
State building authority rent - state agencies			63,393,700
State building authority rent - universities			134,995,300
GROSS APPROPRIATION		**$**	**231,570,600**
Appropriated from:			
State general fund/general purpose		**$**	**231,570,600**

			For Fiscal Year Ending Sept. 30, 2021
(7) CIVIL SERVICE COMMISSION			
Full-time equated classified positions	459.0		
Agency services—FTEs	115.0	$	17,580,700
Employee benefits—FTEs	25.0		7,846,700
Executive direction—FTEs	45.0		10,482,000
Human resources operations—FTEs	274.0		35,481,200
Information technology services and projects			3,637,100
GROSS APPROPRIATION		**$**	**75,027,700**
Appropriated from:			
Special revenue funds:			
State restricted funds 1%			30,528,400
State restricted indirect funds			9,256,700
State sponsored group insurance			11,042,400
State general fund/general purpose		**$**	**24,200,200**
(8) CAPITAL OUTLAY			
Enterprisewide special maintenance for state facilities		$	28,000,000
Major special maintenance, remodeling, and addition for state agencies			3,800,000
GROSS APPROPRIATION		**$**	**31,800,000**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from building occupancy charges			3,800,000
State general fund/general purpose		**$**	**28,000,000**
(9) INFORMATION TECHNOLOGY			
Information technology services and projects		$	35,747,100
GROSS APPROPRIATION		**$**	**35,747,100**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from building occupancy and parking charges			723,200
IDG from user fees			209,700
Special revenue funds:			
Deferred compensation			2,600
Pension trust funds			10,992,800
SIGMA user fees			2,428,200
Special revenue, internal service, and pension trust funds			2,706,500
State restricted indirect funds			2,083,900
State general fund/general purpose		**$**	**16,600,200**
(10) ONE-TIME APPROPRIATIONS			
Enterprisewide special maintenance for state facilities		$	15,000,000
Retirement services customer relationship management replacement			2,100,000
Statewide broadband			14,305,000
GROSS APPROPRIATION		**$**	**31,405,000**
Appropriated from:			
Special revenue funds:			
Pension trust funds			2,100,000
State general fund/general purpose		**$**	**29,305,000**
Sec. 108. DEPARTMENT OF TREASURY			
(1) APPROPRIATION SUMMARY			
Full-time equated unclassified positions	10.0		
Full-time equated classified positions	1,924.5		
GROSS APPROPRIATION		**$**	**2,166,642,800**
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			13,112,800

			For Fiscal Year Ending Sept. 30, 2021
ADJUSTED GROSS APPROPRIATION		**$**	**2,153,530,000**
Federal revenues:			
Total federal revenues			27,421,800
Special revenue funds:			
Total local revenues			13,059,500
Total private revenues			28,900
Total other state restricted revenues			1,789,352,600
State general fund/general purpose		**$**	**323,667,200**
(2) DEPARTMENTAL ADMINISTRATION AND SUPPORT			
Full-time equated unclassified positions	10.0		
Full-time equated classified positions	442.5		
Unclassified salaries—FTEs	10.0	$	1,093,700
Department services—FTEs	75.0		9,236,000
Executive direction and operations—FTEs	64.5		9,107,300
Office of accounting services—FTEs	29.0		3,541,900
Collections services bureau—FTEs	206.0		30,017,100
Office of financial services—FTEs	40.0		5,041,300
Property management			6,906,300
Unclaimed property—FTEs	28.0		5,019,700
Worker's compensation			53,200
GROSS APPROPRIATION		**$**	**70,016,500**
Appropriated from:			
Interdepartmental grant revenues:			
IDG, data/collection services fees			339,100
IDG from accounting service center user charges			398,600
IDG from MDHHS, title IV-D			807,500
IDG, levy/warrant cost assessment fees			3,738,100
IDG, state agency collection fees			4,519,000
Federal revenues:			
DED-OPSE, federal lenders allowance			488,900
DED-OPSE, higher education act of 1965 insured loans			528,800
Special revenue funds:			
Delinquent tax collection revenue			35,289,200
Escheats revenue			5,019,700
Garnishment fees			2,772,600
Justice system fund			451,700
Marihuana regulation fund			1,299,500
Marihuana regulatory fund			194,500
MFA, bond and loan program revenue			652,800
State lottery fund			311,600
State restricted indirect funds			288,900
State services fee fund			354,400
Treasury fees			47,200
State general fund/general purpose		**$**	**12,514,400**
(3) LOCAL GOVERNMENT PROGRAMS			
Full-time equated classified positions	106.0		
Local finance—FTEs	18.0	$	2,487,600
Michigan infrastructure council—FTEs	3.0		850,000
Property tax assessor training—FTE	1.0		1,048,400
Supervision of the general property tax law—FTEs	84.0		17,824,200
GROSS APPROPRIATION		**$**	**22,210,200**

			For Fiscal Year Ending Sept. 30, 2021
Appropriated from:			
Interdepartmental grant revenues:			
IDG from MDOT, Michigan transportation fund			250,000
Special revenue funds:			
Local - assessor training fees			1,048,400
Local - audit charges			604,900
Local - equalization study charge-backs			40,000
Local - revenue from local government			100,000
Delinquent tax collection revenue			1,567,700
Land reutilization fund			2,061,500
Municipal finance fees			569,500
State general fund/general purpose		**$**	**15,968,200**
(4) TAX PROGRAMS			
Full-time equated classified positions	753.0		
Bottle act implementation		$	250,000
Home heating assistance			3,099,200
Insurance provider assessment program—FTEs	13.0		2,190,000
Office of revenue and tax analysis—FTEs	21.0		3,986,800
Tax and economic policy—FTEs	43.0		9,066,500
Tax compliance—FTEs	318.0		45,467,800
Tax processing—FTEs	347.0		42,463,800
Tobacco tax enforcement—FTEs	11.0		1,548,900
GROSS APPROPRIATION		**$**	**108,073,000**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from MDOT, Michigan transportation fund			2,366,700
IDG from MDOT, state aeronautics fund			72,200
Federal revenues:			
HHS-SSA, low-income energy assistance			3,099,200
Special revenue funds:			
Bottle deposit fund			250,000
Brownfield redevelopment fund			213,500
Delinquent tax collection revenue			73,940,100
Insurance provider fund			2,190,000
Marihuana regulation fund			2,345,100
Marihuana regulatory fund			120,000
Michigan state waterways fund			107,100
Tobacco tax revenue			4,205,500
State general fund/general purpose		**$**	**19,163,600**
(5) FINANCIAL PROGRAMS			
Full-time equated classified positions	167.0		
Dual enrollment payments		$	2,332,600
Investments—FTEs	81.0		21,954,300
John R. Justice grant program			288,100
State and authority finance—FTEs	19.0		4,544,700
Student financial assistance programs—FTEs	67.0		25,206,700
GROSS APPROPRIATION		**$**	**54,326,400**
Appropriated from:			
Interdepartmental grant revenues:			
IDG, fiscal agent service fees			212,900
Federal revenues:			
DED-OPSE, federal lenders allowance			3,347,000

			For Fiscal Year Ending Sept. 30, 2021
DED-OPSE, higher education act of 1965, insured loans			19,028,400
Federal - John R. Justice grant			288,100
Special revenue funds:			
Defined contribution administrative fee revenue			300,000
Michigan finance authority bond and loan program revenue			2,803,300
Michigan merit award trust fund			1,220,000
Retirement funds			18,497,800
School bond fees			901,400
Treasury fees			3,379,600
State general fund/general purpose		**$**	**4,347,900**
(6) DEBT SERVICE			
Clean Michigan initiative		$	49,514,000
Great Lakes water quality bond			47,600,000
Quality of life bond			16,621,000
GROSS APPROPRIATION		**$**	**113,735,000**
Appropriated from:			
State general fund/general purpose		**$**	**113,735,000**
(7) GRANTS			
Convention facility development distribution		$	107,887,900
Emergency 911 payments			48,800,000
Health and safety fund grants			1,500,000
Recreational marihuana grants			23,400,000
Senior citizen cooperative housing tax exemption program			10,771,700
Wrongful imprisonment compensation fund			3,000,000
GROSS APPROPRIATION		**$**	**195,359,600**
Appropriated from:			
Special revenue funds:			
Convention facility development fund			107,887,900
Emergency 911 fund			48,800,000
Health and safety fund			1,500,000
Marihuana regulation fund			23,400,000
State general fund/general purpose		**$**	**13,771,700**
(8) BUREAU OF STATE LOTTERY			
Full-time equated classified positions	200.0		
Lottery information technology services and projects		$	5,383,400
Lottery operations—FTEs	200.0		28,157,400
GROSS APPROPRIATION		**$**	**33,540,800**
Appropriated from:			
Special revenue funds:			
State lottery fund			33,540,800
State general fund/general purpose		**$**	**0**
(9) CASINO GAMING			
Full-time equated classified positions	181.0		
Casino gaming control operations—FTEs	151.0	$	31,905,800
Gaming information technology services and projects			3,486,200
Horse racing—FTEs	10.0		2,104,200
Michigan gaming control board			50,000
Millionaire party regulation—FTEs	20.0		3,110,700
GROSS APPROPRIATION		**$**	**40,656,900**
Appropriated from:			
Special revenue funds:			
Casino gambling agreements			1,001,900

			For Fiscal Year Ending Sept. 30, 2021
Equine development fund			2,228,400
Fantasy contest fund			500,000
Internet gaming fund			2,575,000
Internet sports betting fund			2,375,000
Laboratory fees			411,300
State lottery fund			3,110,700
State services fee fund			28,454,600
State general fund/general purpose		**$**	**0**
(10) PAYMENTS IN LIEU OF TAXES			
Commercial forest reserve		$	3,368,100
Purchased lands			9,318,500
Swamp and tax reverted lands			15,305,600
GROSS APPROPRIATION		**$**	**27,992,200**
Appropriated from:			
Special revenue funds:			
Private funds			28,900
Game and fish protection fund			3,157,800
Michigan natural resources trust fund			2,374,500
Michigan state waterways fund			273,900
State general fund/general purpose		**$**	**22,157,100**
(11) REVENUE SHARING			
City, village, and township revenue sharing		$	261,024,600
Constitutional state general revenue sharing grants			851,870,300
County incentive program			43,329,300
County revenue sharing			183,200,100
Financially distressed cities, villages, or townships			2,500,000
GROSS APPROPRIATION		**$**	**1,341,924,300**
Appropriated from:			
Special revenue funds:			
Sales tax			1,341,924,300
State general fund/general purpose		**$**	**0**
(12) STATE BUILDING AUTHORITY			
Full-time equated classified positions	3.0		
State building authority—FTEs	3.0	$	756,700
GROSS APPROPRIATION		**$**	**756,700**
Appropriated from:			
Special revenue funds:			
State building authority revenue			756,700
State general fund/general purpose		**$**	**0**
(13) CITY INCOME TAX ADMINISTRATION PROGRAM			
Full-time equated classified positions	72.0		
City income tax administration program—FTEs	72.0	$	10,010,200
GROSS APPROPRIATION		**$**	**10,010,200**
Appropriated from:			
Special revenue funds:			
Local - city income tax fund			10,010,200
State general fund/general purpose		**$**	**0**
(14) INFORMATION TECHNOLOGY			
Treasury operations information technology services and projects		$	39,216,000
GROSS APPROPRIATION		**$**	**39,216,000**

			For Fiscal Year Ending Sept. 30, 2021
Appropriated from:			
Interdepartmental grant revenues:			
IDG from MDOT, Michigan transportation fund			408,700
Federal revenues:			
DED-OPSE, federal lender allowance			641,400
Special revenue funds:			
Local - city income tax fund			1,256,000
Delinquent tax collection revenue			17,971,900
Marihuana regulation fund			792,000
Retirement funds			804,500
Tobacco tax revenue			132,200
State general fund/general purpose		**$**	**17,209,300**
(15) ONE-TIME APPROPRIATIONS			
Gaming - case handling and information processing system		$	4,025,000
Blight removal grants			800,000
Disaster relief			24,000,000
Historic preservation			5,000,000
School district debt relief support			2,000,000
School support staff COVID-19 grants			20,000,000
Teacher COVID-19 grants			53,000,000
GROSS APPROPRIATION		**$**	**108,825,000**
Appropriated from:			
Special revenue funds:			
Fantasy contest fund			225,000
Internet gaming fund			950,000
Internet sports betting fund			950,000
State casino gaming fund			1,900,000
State general fund/general purpose		**$**	**104,800,000**
Sec. 109. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY			
(1) APPROPRIATION SUMMARY			
Full-time equated unclassified positions	34.5		
Full-time equated classified positions	2,545.4		
GROSS APPROPRIATION		**$**	**1,625,864,300**
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			0
ADJUSTED GROSS APPROPRIATION		**$**	**1,625,864,300**
Federal revenues:			
Total federal revenues			1,138,389,800
Special revenue funds:			
Total local revenues			10,900,000
Total private revenues			11,317,800
Total other state restricted revenues			272,389,100
State general fund/general purpose		**$**	**192,867,600**
(2) DEPARTMENTAL ADMINISTRATION AND SUPPORT			
Full-time equated unclassified positions	34.5		
Full-time equated classified positions	53.0		
Unclassified salaries—FTEs	34.5	$	4,073,100
Executive direction and operations—FTEs	53.0		8,980,400
Property management			6,054,300
GROSS APPROPRIATION		**$**	**19,107,800**

			For Fiscal Year Ending Sept. 30, 2021
Appropriated from:			
Federal revenues:			
DED, vocational rehabilitation and independent living			3,146,000
DOL-ETA, unemployment insurance			2,391,200
DOL, federal funds			3,202,500
DOL, occupational safety and health			713,800
Federal funds			2,500,000
Special revenue funds:			
Asbestos abatement fund			150,200
Corporation fees			1,571,300
Michigan state housing development authority fees and charges			622,800
Private occupational school fees			55,100
Radiological health fees			284,400
Safety education and training fund			755,800
Second injury fund			273,000
Securities fees			1,748,700
Self-insurers security fund			150,000
Silicosis and dust disease fund			112,700
Worker's compensation administrative revolving fund			88,400
State general fund/general purpose		**$**	**1,341,900**
(3) WORKFORCE DEVELOPMENT			
Full-time equated classified positions	219.0		
At-risk youth grants		$	3,750,000
Going pro			28,670,700
High school equivalency-to-school			250,000
Workforce development program			381,636,000
Workforce program administration—FTEs	219.0		36,286,000
GROSS APPROPRIATION		**$**	**450,592,700**
Appropriated from:			
Federal revenues:			
DAG, employment and training			4,000,400
DED-OVAE, adult education			20,000,000
DED-OVAE, basic grants to states			19,000,000
DOL, federal funds			107,400,200
DOL-ETA, workforce investment act			173,488,600
Federal funds			3,440,200
Social security act, temporary assistance for needy families			63,698,800
Special revenue funds:			
Local revenues			500,000
Private funds			5,280,400
Contingent fund, penalty and interest account			22,108,500
Defaulted loan collection fees			175,300
State general fund/general purpose		**$**	**31,500,300**
(4) REHABILITATION SERVICES			
Full-time equated classified positions	668.0		
Bureau of services for blind persons—FTEs	113.0	$	25,509,200
Independent living			15,531,700
Michigan rehabilitation services—FTEs	555.0		134,227,900
Subregional libraries state aid			451,800
GROSS APPROPRIATION		**$**	**175,720,600**

			For Fiscal Year Ending Sept. 30, 2021
Appropriated from:			
Federal revenues:			
DED, vocational rehabilitation and independent living			126,173,600
Federal funds			1,461,000
Supplemental security income			8,588,600
Special revenue funds:			
Local - blind services			100,000
Local - vocational rehabilitation match			5,300,000
Private - blind services			111,800
Private - gifts, bequests, and donations			531,500
Michigan business enterprise program fund			350,000
Rehabilitation services fees			150,000
Second injury fund			38,300
State general fund/general purpose		**$**	**32,915,800**
(5) EMPLOYMENT SERVICES			
Full-time equated classified positions	376.4		
Bureau of employment relations—FTEs	22.0	$	4,452,000
Compensation supplement fund			820,000
First responder presumed coverage claims			4,000,000
Insurance funds administration—FTEs	23.0		4,725,500
Michigan occupational safety and health administration—FTEs	197.0		30,425,700
Office of global Michigan—FTEs	11.0		29,249,400
Private and occupational distance learning—FTEs	3.0		852,900
Radiation safety section—FTEs	21.4		3,429,500
Wage and hour program—FTEs	29.0		3,992,900
Workers' compensation board of magistrates—FTEs	10.0		2,243,900
Workers' disability compensation agency—FTEs	56.0		8,217,800
Workers' disability compensation appeals commission—FTEs	4.0		348,800
GROSS APPROPRIATION		**$**	**92,758,400**
Appropriated from:			
Federal revenues:			
DOL, occupational safety and health			12,385,300
HHS, mammography quality standards			513,300
HHS, refugee assistance program fund			28,769,000
Special revenue funds:			
Asbestos abatement fund			833,500
Corporation fees			10,248,300
Distance education fund			364,800
First responder presumed coverage fund			4,000,000
Private occupational school license fees			488,100
Radiological health fees			2,916,200
Safety education and training fund			10,416,200
Second injury fund			2,394,200
Securities fees			10,580,400
Self-insurers security fund			1,626,600
Silicosis and dust disease fund			704,700
Worker's compensation administrative revolving fund			1,875,100
State general fund/general purpose		**$**	**4,642,700**
(6) UNEMPLOYMENT			
Full-time equated classified positions	744.0		
Unemployment insurance agency—FTEs	736.0	$	293,478,900
Unemployment insurance agency - advocacy assistance			1,500,000

			For Fiscal Year Ending Sept. 30, 2021
Unemployment insurance appeals commission—FTEs	8.0		4,384,900
GROSS APPROPRIATION		**$**	**299,363,800**
Appropriated from:			
Federal revenues:			
DOL-ETA, unemployment insurance			276,626,400
Special revenue funds:			
Contingent fund, penalty and interest account			22,737,400
State general fund/general purpose		**$**	**0**
(7) COMMISSIONS			
Full-time equated classified positions	17.0		
Asian Pacific American affairs commission—FTE	1.0	$	137,400
Commission on Middle Eastern American affairs—FTE	1.0		125,000
Hispanic/Latino commission of Michigan—FTE	1.0		295,800
Michigan community service commission—FTEs	14.0		11,835,800
GROSS APPROPRIATION		**$**	**12,394,000**
Appropriated from:			
Federal revenues:			
Federal funds			10,826,000
Special revenue funds:			
Private - gifts, bequests, and donations			44,100
State general fund/general purpose		**$**	**1,523,900**
(8) INFORMATION TECHNOLOGY			
Information technology services and projects		$	29,579,800
GROSS APPROPRIATION		**$**	**29,579,800**
Appropriated from:			
Federal revenues:			
DED, vocational rehabilitation and independent living			3,141,200
DOL-ETA, unemployment insurance			22,867,300
DOL, occupational safety and health			373,100
Special revenue funds:			
Asbestos abatement fund			35,400
Corporation fees			290,000
Distance education fund			5,600
Private occupational school license fees			21,900
Radiological health fees			143,300
Safety education and training fund			404,200
Second injury fund			364,100
Securities fees			912,800
Self-insurers security fund			258,700
Silicosis and dust disease fund			78,400
State general fund/general purpose		**$**	**683,800**
(9) MICHIGAN STRATEGIC FUND			
Full-time equated classified positions	174.0		
Administrative services—FTEs	37.0	$	3,143,500
Arts and cultural program			9,500,000
Business attraction and community revitalization			100,000,000
Community college skilled trades equipment program debt service			4,600,000
Community development block grants			62,000,000
Entrepreneurship ecosystem			15,650,000
Facility for rare isotope beams			7,300,000
Job creation services—FTEs	137.0		22,268,100
Lighthouse preservation program			307,500

			For Fiscal Year Ending Sept. 30, 2021
Pure Michigan			25,000,000
GROSS APPROPRIATION		**$**	**249,769,100**
Appropriated from:			
Federal revenues:			
HUD-CPD community development block grant			64,773,300
NFAH-NEA, promotion of the arts, partnership agreements			1,050,000
Special revenue funds:			
Local promotion fund			5,000,000
Private - Michigan council for the arts fund			100,000
Private - special project advances			250,000
Private promotion fund			5,000,000
21st century jobs trust fund			75,000,000
Contingent fund, penalty and interest account			4,600,000
Michigan lighthouse preservation fund			307,500
Michigan state housing development authority fees and charges			4,717,900
State general fund/general purpose		**$**	**88,970,400**
(10) STATE LAND BANK AUTHORITY			
Full-time equated classified positions	9.0		
State land bank authority—FTEs	9.0	$	4,343,900
GROSS APPROPRIATION		**$**	**4,343,900**
Appropriated from:			
Federal revenues:			
Federal revenues			1,000,000
Special revenue funds:			
Land bank fast track fund			3,343,900
State general fund/general purpose		**$**	**0**
(11) MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY			
Full-time equated classified positions	273.0		
Housing and rental assistance—FTEs	273.0	$	46,903,200
Michigan state housing development authority technology services and projects			3,699,300
Payments on behalf of tenants			166,860,000
Property management			3,482,900
GROSS APPROPRIATION		**$**	**220,945,400**
Appropriated from:			
Federal revenues:			
HUD, lower income housing assistance			166,860,000
Special revenue funds:			
Michigan state housing development authority fees and charges			54,085,400
State general fund/general purpose		**$**	**0**
(12) ONE-TIME APPROPRIATIONS			
Full-time equated classified positions	12.0		
Coronavirus relief fund grants		$	10,000,000
Michigan enhancement grants			31,288,800
Michigan reconnect grant program—FTEs	12.0		30,000,000
GROSS APPROPRIATION		**$**	**71,288,800**
Appropriated from:			
Federal revenues:			
Coronavirus relief fund			10,000,000
Special revenue funds:			
Talent investment fund			30,000,000
State general fund/general purpose		**$**	**31,288,800**

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $3,729,841,500.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $1,629,433,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE		
Fees to local units	$	34,500
Motorcycle safety grants		1,007,300
Subtotal	$	1,041,800
DEPARTMENT OF TREASURY		
Airport parking distribution pursuant to section 909	$	27,000,000
City, village, and township revenue sharing		261,024,600
Constitutional state general revenue sharing grants		851,870,300
Convention facility development fund distribution		107,887,900
County incentive program		43,329,300
County revenue sharing payments		183,200,100
Emergency 9-1-1 payments		48,800,000
Financially distressed cities, villages, or townships		2,500,000
Health and safety fund grants		1,500,000
Recreational marihuana grants		23,400,000
Payments in lieu of taxes		27,992,200
Senior citizen cooperative housing tax exemption		10,771,700
Subtotal	$	1,589,276,100
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY		
Going pro	$	27,170,700
Welfare-to-work programs		10,680,000
Michigan rehabilitation services		262,200
Michigan community service commission		2,300
Arts and cultural program		1,000,000
Subtotal	$	39,115,200
TOTAL	**$**	**1,629,433,100**

(2) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 2020-2021 is estimated at $35,359,071,900.00 in the 2020-2021 appropriations acts and total state spending from state sources paid to local units of government for fiscal year 2020-2021 is estimated at $19,907,429,900.00. The state-local proportion is $19,907,429,900.00 estimated at 56.3% of total state spending from state sources.

(3) If payments to local units of government and state spending from state sources for fiscal year 2020-2021 are different than the amounts estimated in subsection (2), the state budget director shall report the payments to local units of government and state spending from state sources that were made for fiscal year 2020-2021 to the senate and house of representatives standing committees on appropriations within 30 days after the final book-closing for fiscal year 2020-2021.

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) “ATM” means automated teller machine.

(b) “COBRA” means the consolidated omnibus budget reconciliation act of 1985, Public Law 99-272, 100 Stat 82.

(c) “DAG” means the United States Department of Agriculture.

(d) “DED” means the United States Department of Education.

(e) “DED-OESE” means the DED Office of Elementary and Secondary Education.

(f) “DED-OPSE” means the DED Office of Postsecondary Education.

(g) “DED-OVAE” means the DED Office of Vocational and Adult Education.

(h) “DOE-OEERE” means the United States Department of Energy, Office of Energy Efficiency and Renewable Energy.

(i) “DOL” means the United States Department of Labor.

(j) “DOL-ETA” means the United States Department of Labor, Employment and Training Administration.
(k) “EEOC” means the United States Equal Employment Opportunity Commission.
(*l*) “FTE” means full-time equated.
(m) “Fund” means the Michigan strategic fund.
(n) “GEAR-UP” means gaining early awareness and readiness for undergraduate programs.
(o) “GED” means a general educational development certificate.
(p) “GF/GP” means general fund/general purpose.
(q) “HHS” means the United States Department of Health and Human Services.
(r) “HHS-OS” means the HHS Office of the Secretary.
(s) “HHS-SSA” means the HHS Social Security Administration.
(t) “HUD” means the United States Department of Housing and Urban Development.
(u) “HUD-CPD” means the United States Department of Housing and Urban Development - Community Planning and Development.
(v) “IDG” means interdepartmental grant.
(w) “JCOS” means the joint capital outlay subcommittee.
(x) “MAIN” means the Michigan administrative information network.
(y) “MCL” means the Michigan Compiled Laws.
(z) “MDE” means the Michigan department of education.
(aa) “MDEGLE” means the Michigan department of environment, Great Lakes, and energy.
(bb) “MDHHS” means the Michigan department of health and human services.
(cc) “MDLARA” means the Michigan department of licensing and regulatory affairs.
(dd) “MDLEO” means the Michigan department of labor and economic opportunity.
(ee) “MDMVA” means the Michigan department of military and veterans affairs.
(ff) “MDOT” means the Michigan department of transportation.
(gg) “MDSP” means the Michigan department of state police.
(hh) “MDTMB” means the Michigan department of technology, management, and budget.
(ii) “MEDC” means the Michigan economic development corporation, which is the public body corporate created under section 28 of article VII of the state constitution of 1963 and the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by contractual interlocal agreement effective April 5, 1999, between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund.
(jj) “MEGA” means the Michigan economic growth authority.
(kk) “MFA” means the Michigan finance authority.
(*ll*) “MPE” means the Michigan public employees.
(mm) “MSF” means the Michigan strategic fund.
(nn) “MSHDA” means the Michigan state housing development authority.
(oo) “NERE” means nonexclusively represented employees.
(pp) “NFAH-NEA” means the National Foundation of the Arts and the Humanities - National Endowment for the Arts.
(qq) “PA” means public act.
(rr) “PATH” means Partnership. Accountability. Training. Hope.
(ss) “RFP” means a request for a proposal.
(tt) “SEIU” means Service Employees International Union.
(uu) “SIGMA” means statewide integrated governmental management applications.
(vv) “WDA” means the workforce development agency.
(ww) “WIC” means women, infants, and children.

Sec. 204. The departments and agencies shall use the internet to fulfill the reporting requirements of this part. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, and it shall include placement of reports on an internet site.

Sec. 205. To the extent permissible under section 261 of the management and budget act, 1984 PA 431, MCL 18.1261, all of the following apply:

(a) Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available.

(b) Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality.

(c) Preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The department shall not take disciplinary action against an employee of the department or an agency within the department who is in the state classified civil service because the employee communicates with a member of the senate or house or a member's staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 207. For the purposes of implementing section 217 of the management and budget act, 1984 PA 431, MCL 18.1217, the departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the house and senate appropriations committees, the chairpersons of the relevant appropriations subcommittees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state GF/GP revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total GF/GP appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end GF/GP appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees and the senate and house fiscal agencies.

Sec. 210. (1) Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, which provides for a transfer of state general fund revenue into or out of the countercyclical budget and economic stabilization fund, the calculations required by section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, are determined as follows:

	2019	2020	2021
Michigan personal income (millions)	$502,540	$513,596	$503,324
less: transfer payments	105,366	140,870	113,775
Subtotal	$397,174	$372,726	$389,549
Divided by: Detroit Consumer Price Index for 12 months ending December 31	2.353	2.353	2.378
Equals: real adjusted Michigan personal income	$168,819	$158,393	$163,786
Percentage change	N/A	-6.2%	3.4%
Growth rate in excess of 2%?	N/A	0.0%	1.4%
Equals: countercyclical budget and economic stabilization fund pay-in calculation for the fiscal year ending September 30, 2021 (millions)	N/A	NO	NO
Growth rate less than 0%?	N/A	YES	NO
Equals: countercyclical budget and economic stabilization fund pay-out calculation for the fiscal year ending September 30, 2020 (millions)	N/A		$287.2

(2) Notwithstanding subsection (1), there is appropriated for the fiscal year ending September 30, 2021, from GF/GP revenue for deposit into the countercyclical budget and economic stabilization fund the sum of $35,000,000.00.

(3) In addition to the appropriation to the countercyclical budget and economic stabilization fund in subsection (2), there is appropriated to the countercyclical budget and economic stabilization fund for the fiscal year ending September 30, 2021, from general fund/general purpose an amount equal to 100% of the fiscal year 2019-2020 general fund/general purpose unassigned fund balance recorded as part of the state book-closing process for the 2019-2020 fiscal year.

Sec. 211. The departments and agencies shall cooperate with the MDTMB to maintain a searchable website that is updated at least quarterly and that is accessible by the public at no cost that includes, but is not limited to, all of the following for each department or agency:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the departments and agencies receiving appropriations in part 1 shall cooperate with the state budget director to provide the chairs of the senate and house of representatives standing committees on appropriations, the chairs of the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.

Sec. 213. The departments and agencies receiving appropriations in part 1 shall maintain, on a publicly accessible website, a department or agency scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's or agency's performance.

Sec. 215. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director of each department and agency receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. (1) On a quarterly basis, the departments and agencies receiving appropriations in part 1 shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department or agency shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the departments and agencies, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. Each department and agency shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house of representatives standing committees on appropriations subcommittees on general government, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 221. General fund appropriations in part 1 shall not be expended for items in cases where federal funding or private grant funding is available for the same expenditures.

Sec. 222. From October 1, 2020 through January 31, 2021, the state budget director shall provide written notification to the senate and house appropriations committees and the senate and house fiscal agencies on any changes in work planned spending categories for work projects containing coronavirus relief funds for the fiscal year ending September 30, 2020 prior to expenditures occurring from new or increased spending categories.

Sec. 223. Any coronavirus relief funds appropriated in part 1 for which expenditures have not been incurred as of December 30, 2020 are unappropriated and immediately reappropriated for deposit into the unemployment compensation fund established under section 26 of the Michigan employment security act,

1936 (Ex Sess) PA 1, MCL 421.26, to support costs incurred from March 1, 2020 through December 30, 2020 due to the COVID-19 public health emergency.

Sec. 224. Funds appropriated in part 1 shall not be used by this state, a department, an agency, or an authority of this state to purchase an ownership interest in a casino enterprise or a gambling operation as those terms are defined in the Michigan Gaming Control and Revenue Act, 1996 IL 1, MCL 432.201 to 432.226.

Sec. 229. (1) If the office of the auditor general has identified an initiative or made a recommendation that is related to savings and efficiencies in an audit report for an executive branch department or agency, the department or agency shall report within 6 months of the release of the audit on their efforts and progress made toward achieving the savings and efficiencies identified in the audit report. The report shall be submitted to the chairs of the senate and house of representatives standing committees on appropriations, the chairs of the senate and house of representatives standing committees with jurisdiction over matters relating to the department that is audited, and the senate and house fiscal agencies.

(2) If the office of the auditor general does not receive the required report regarding initiatives related to savings and efficiencies within the 6-month time frame, the office of the auditor general may charge noncompliant executive branch departments and agencies for the cost of performing a subsequent audit to ensure that the initiatives related to savings and efficiencies have been implemented.

Sec. 235. By April 1, the state budget director shall submit a report to the senate and house appropriations committees, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies. The report shall recommend a contingency plan for each federal funding source included in the state budget of $10,000,000.00 or more in the event that the federal government reduces funding to the state through that source by 10% or greater.

Sec. 237. All information technology projects funded by appropriations in part 1 must utilize information technology project management best practices and services as defined or recommended by the enterprise portfolio management office of MDTMB and comply with the requirements of the state unified information technology environment methodology as it applies to all information technology project management processes.

Sec. 240. (1) Concurrently with the submission of the fiscal year 2021-2022 executive budget recommendations, the state budget office shall provide the senate and house appropriations committees, the chairpersons of the relevant appropriations subcommittees, the senate and house fiscal agencies, and the policy offices a report that lists each new program or program enhancement for which funds in excess of $500,000.00 are appropriated in part 1 of each departmental appropriation act.

(2) By July 1 of the current fiscal year, the state budget director and the chairs of the senate and house appropriations committees shall identify new programs or program enhancements identified under subsection (1) for measurement using program–specific metrics, in addition to the metrics required under section 447 of the management and budget act, 1984 PA 431, MCL 18.1447.

(3) By September 30 of the next fiscal year, the state budget office shall provide a report on the specific metrics and the progress in meeting the estimated performance for each program identified under subsection (2) to the senate and house appropriations committees, the senate and house appropriations subcommittees on each state department, and the senate and house fiscal agencies and policy offices. It is the intent of the legislature that the governor consider the estimated performance of the new program or program enhancement as the basis for any increase in funds appropriated from the prior year.

DEPARTMENT OF ATTORNEY GENERAL

Sec. 301. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $750,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $750,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $50,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $50,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 302. (1) The attorney general shall perform all legal services, including representation before courts and administrative agencies rendering legal opinions and providing legal advice to a principal executive department or state agency. A principal executive department or state agency shall not employ or enter into a contract with any other person for services described in this section.

(2) The attorney general shall defend judges of all state courts if a claim is made or a civil action is commenced for injuries to persons or property caused by the judge through the performance of the judge's duties while acting within the scope of his or her authority as a judge.

(3) The attorney general shall perform the duties specified in 1846 RS 12, MCL 14.28 to 14.35, and 1919 PA 232, MCL 14.101 to 14.102, and as otherwise provided by law.

Sec. 303. The attorney general may sell copies of the biennial report in excess of the 350 copies that the attorney general may distribute on a gratis basis. Gratis copies shall not be provided to members of the legislature. Electronic copies of biennial reports shall be made available on the department of attorney general's website. The attorney general shall sell copies of the report at not less than the actual cost of the report and shall deposit the money received into the general fund.

Sec. 304. The department of attorney general is responsible for the legal representation for state of Michigan state employee worker's disability compensation cases. The risk management revolving fund revenue appropriation in part 1 is to be satisfied by billings from the department of attorney general for the actual costs of legal representation, including salaries and support costs.

Sec. 305. In addition to the funds appropriated in part 1, not more than $400,000.00 shall be reimbursed per fiscal year for food stamp fraud cases heard by the third circuit court of Wayne County that were initiated by the department of attorney general pursuant to the existing contract between the department of health and human services, the Prosecuting Attorneys Association of Michigan, and the department of attorney general. The source of this funding is money earned by the department of attorney general under the agreement after the allowance for reimbursement to the department of attorney general for costs associated with the prosecution of food stamp fraud cases. It is recognized that the federal funds are earned by the department of attorney general for its documented progress on the prosecution of food stamp fraud cases according to the United States Department of Agriculture regulations and that, once earned by this state, the funds become state funds.

Sec. 306. Any proceeds from a lawsuit initiated by or settlement agreement entered into on behalf of this state against a manufacturer of tobacco products by the attorney general are state funds and are subject to appropriation as provided by law.

Sec. 307. (1) In addition to the antitrust revenues in part 1, antitrust, securities fraud, consumer protection or class action enforcement revenues, or attorney fees recovered by the department, not to exceed $250,000.00, are appropriated to the department for antitrust, securities fraud, and consumer protection or class action enforcement cases.

(2) Any unexpended funds from antitrust, securities fraud, or consumer protection or class action enforcement revenues at the end of the fiscal year, including antitrust funds in part 1, may be carried forward for expenditure in the following fiscal year up to the maximum authorization of $250,000.00.

(3) The attorney general's office shall make available upon request information detailing the amount of revenue from subsection (1) recovered by the attorney general, including a description of the source of the revenue and the carryforward amount.

Sec. 308. (1) In addition to the funds appropriated in part 1, there is appropriated up to $500,000.00 from litigation expense reimbursements awarded to the state.

(2) The funds may be expended for the payment of court judgments, settlements, arbitration awards or other administrative and litigation decisions, attorney fees, and litigation costs, assessed against the office of the governor, the department of the attorney general, the governor, or the attorney general when acting in an official capacity as the named party in litigation against the state. The funds may also be expended for the payment of state costs incurred under section 16 of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.16.

(3) Unexpended funds at the end of the fiscal year may be carried forward for expenditure in the following year, up to a maximum authorization of $250,000.00.

Sec. 309. (1) From the prisoner reimbursement funds appropriated in part 1, the department may spend up to $556,100.00 on activities related to the state correctional facility reimbursement act, 1935 PA 253, MCL 800.401 to 800.406. In addition to the funds appropriated in part 1, if the department collects in excess of $1,131,000.00 in gross annual prisoner reimbursement receipts provided to the general fund, the excess, up to a maximum of $1,000,000.00, is appropriated to the department of attorney general and may be spent on the representation of the department of corrections and its officers, employees, and agents, including, but not limited to, the defense of litigation against the state, its departments, officers, employees, or agents in civil actions filed by prisoners.

(2) The attorney general's office shall make available upon request information on the dollar amount of prisoner reimbursements collected from subsection (1) and descriptions of all expenditures made from the reimbursements, including what activities related to the state correctional facility reimbursement act, 1935 PA 253, MCL 800.401 to 800.406, funds were spent on.

Sec. 309a. Not later than March 1, the department of attorney general must report to the house and senate appropriations subcommittees with jurisdiction over the budget of the department of corrections, and the house and senate fiscal agencies, the total amount of reimbursements received under section 6 of the state correctional facility reimbursement act, 1935 PA 253, MCL 800.406, the amount paid to conduct the investigations from these reimbursements, and the amount credited to the general fund from these reimbursements.

Sec. 310. (1) For the purposes of providing title IV-D child support enforcement funding, the attorney general shall maintain a cooperative agreement with the department of health and human services, as the state IV-D agency, for federal IV-D funding to support the child support enforcement activities within the office of the attorney general.

(2) The attorney general or his or her designee shall, to the extent allowable under federal law, have access to any information used by the state to locate parents who fail to pay court-ordered child support.

Sec. 312. The department of attorney general shall not receive and expend funds in addition to those authorized in part 1 for legal services provided specifically to other state departments or agencies except for costs for expert witnesses, court costs, or other nonsalary litigation expenses associated with a pending legal action.

Sec. 313. The department of attorney general must submit a quarterly report to the house and senate standing committees on appropriations, the house and senate appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget office, regarding the lawsuit settlement proceeds fund that includes all of the following:

(a) The total amount of revenue deposited into the lawsuit settlement proceeds fund in the current fiscal year delineated by case.

(b) The total amount appropriated from the lawsuit settlement proceeds fund in the current fiscal year delineated by appropriation.

(c) Earned settlement proceeds that are anticipated but not yet deposited into the fund delineated by case.

(d) Any known potential settlement amounts from cases that have not been decided, delineated by case.

Sec. 314. (1) From the lawsuit settlement proceeds fund appropriated in part 1, the department may spend the funds for the costs of all associated expenses related to the declaration of emergency due to drinking water contamination up to $2,643,900.00.

(2) The attorney general's office must submit a quarterly report to the house and senate standing committees on appropriations, the house and senate appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director, detailing how funds in subsection (1) and all other currently and previously budgeted funds associated with legal costs pertaining to the Flint water declaration of emergency were expended. The report must itemize expenditures by case, purpose, hourly rate of retained attorney, and department involved.

(3) As a condition of receiving funds appropriated in part 1, the attorney general must not retain the services of an outside counsel associated with the declaration of emergency due to drinking water contamination at an hourly rate of more than $250.00 unless all reporting requirements under subsection (2) are satisfied.

Sec. 315. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are $18,984,500.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $9,109,000.00. Total agency appropriations for retiree health care legacy costs are estimated at $9,875,500.00.

Sec. 316. (1) From the funds appropriated in part 1 for sexual assault law enforcement efforts, the department shall use the funds for testing of backlogged sexual assault kits across this state. The funding provided in part 1 shall be distributed in the following order of priority:

(a) To eliminate all county sexual assault kit backlogs across this state.

(b) To assist local prosecutors with investigations and prosecutions of viable cases.

(c) To provide victim services.

(2) The department of the attorney general shall provide a report by February 1. The report shall include the following information:

(a) The number of sexual assault kits across this state that remain untested as of January 31.

(b) A detailed work plan outlining the department's action plan to eliminate all outstanding sexual assault kits and the time frame for completion of testing of all untested sexual assault kits.

(c) A detailed work and spending plan outlining anticipated litigation action and expenditures resulting from findings of the sexual assault kit testing. The report shall be submitted to the state budget office, the senate and house fiscal agencies, and the senate and house of representatives standing committees on appropriations subcommittees on general government.

(3) Any funds remaining after the department has met the obligations required under subsection (1) may be used for the purpose of retesting any previously tested sexual assault kits across this state using currently available DNA testing. Funds only may be used for DNA testing on previously tested kits that were not tested for DNA. If there are remaining untested sexual assault kits on January 31, 2021, funds appropriated in part 1 shall only be used for the testing of those kits.

Sec. 317. (1) The department of attorney general shall report all legal costs and associated expenses related to the declaration of emergency due to drinking water contamination, and the investigations and any resulting prosecutions, for publication in the Flint water emergency-financial and activities tracking and reporting document that is posted by the state budget director on the public website, michigan.gov/flintwater. The tracking and reporting documents shall include the budget line item source for each expenditure.

(2) At the conclusion of all attorney general investigations related to the declaration of emergency due to drinking water contamination, all materials related to any investigations shall be preserved pursuant to applicable document retention policies.

Sec. 319. From the funds appropriated in part 1, the attorney general shall provide a quarterly report on the wrongful imprisonment compensation fund to the chairpersons of the appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director. The report shall include at least the following:

(a) All payments made from the wrongful imprisonment fund in each prior quarter of the fiscal year, and the total of those payments, including if each payment is part of a new settlement or part of an installment plan.

(b) Total payments made from each prior fiscal year and the total of all payments to date.

(c) Any settlements that have been decided but have yet to receive a payment.

(d) The number of known cases seeking a settlement, but do not have a final judgment, and the dollar amount of each potential payment for these known cases, and the total of these payments.

(e) The balance of the wrongful imprisonment fund at the end of the previous quarter.

Sec. 320. From the funds appropriated in part 1, the department of attorney general shall do all of the following:

(a) Notify the appropriation chairs and fiscal agencies of all lawsuit settlements with a fiscal impact of $2,000,000.00 or more no later than 10 days after a settlement is reached. It is the intent of the legislature that any lawsuit settlement must take into consideration the potential cost and tax dollar impact to Michigan taxpayers as part of the settlement negotiations process.

(b) Not enter into any lawsuit that is contrary to the laws of this state.

(c) Enforce the laws of this state.

Sec. 321. Upon entering into a lawsuit against the federal government, either on this state's own accord or accompanied by other states, the department of attorney general must submit a notification of the lawsuit filing to the chairpersons of the house and senate appropriations subcommittees on general government. The notification must include an estimate of all financial costs to this state for participating in the legal action.

Sec. 322. (1) The department must provide a quarterly report to the chairpersons of the appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget director on the total dollar expenditure amount related to each of the following department initiatives and activities:

(a) Catholic church investigation.

(b) Elder abuse task force.

(c) Conviction integrity unit.

(d) Opioid litigation.

(e) Hate crimes unit.

(f) Michigan State University investigation.

(g) PFAS contamination.

(h) Human trafficking.

(i) Robocall enforcement.

(2) For each expenditure required under subsection (1) the report must include the dollar amount spent by line item appropriation and fund source.

DEPARTMENT OF CIVIL RIGHTS

Sec. 401. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $375,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 402. (1) In addition to the appropriations contained in part 1, the department of civil rights may receive and expend funds from local and private sources, up to a combined total of $85,000.00, for all of the following purposes:

(a) Developing and presenting training for employers on equal employment opportunity law and procedures.

(b) The publication and sale of civil rights related informational material.

(c) The provision of copy material made available under freedom of information requests.

(d) Other copy fees, subpoena fees, and witness fees.

(e) Developing, presenting, and participating in mediation processes for certain civil rights cases.

(f) Workshops, seminars, and recognition or award programs consistent with the programmatic mission of the individual unit sponsoring or coordinating the programs.

(g) Staffing costs for all activities included in this subsection.

(2) The department of civil rights shall annually report to the state budget director, the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies the amount of funds received and expended for purposes authorized under this section.

Sec. 403. The department of civil rights may contract with local units of government to review equal employment opportunity compliance of potential contractors and may charge for and expend amounts received from local units of government for the purpose of developing and providing these contractual services.

Sec. 404. (1) The department of civil rights shall prepare and transmit a detailed report that includes, but is not limited to, the following information for the most recent fiscal year:

(a) A detailed description of the department operations.

(b) A detailed description of all subunits within the department, including FTE positions associated with each subunit, responsibilities of each subunit, and all revenues and expenditures for each subunit.

(c) The number of complaints by type of complaint.

(d) The average cost of, and time expended, investigating complaints.

(e) The percentage of complaints that are meritorious and worthy of investigation or settlement and the percentage of complaints that have no merit.

(f) A listing of amounts awarded to claimants.

(g) Expenditures associated with complaint investigation and enforcement.

(h) A listing of complaint investigations closed per FTE position for each of the past 5 years.

(i) A listing of complaint evaluations completed per FTE position for each of the past 5 years.

(j) Productivity projections for the current fiscal year, including investigations closed per FTE, complaint evaluations completed per FTE, and average time expended investigating complaints.

(k) Revenues and expenditures associated with section 403 of this part by local unit.

(2) The report required under subsection (1) shall be posted online and transmitted electronically not later than November 30 to the state budget director, the chairpersons of the senate and house of representatives standing committees on appropriations, the senate and house appropriations subcommittees on general government, and the senate and house fiscal agencies.

Sec. 405. The department of civil rights shall notify the state budget office, senate and house of representatives standing committees on appropriations, the chairpersons of the appropriations subcommittees on general government, and senate and house fiscal agencies prior to submitting a report or complaint to the United States Commission on Civil Rights or other federal departments.

Sec. 410. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are $2,788,400.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $1,337,900.00. Total agency appropriations for retiree health care legacy costs are estimated at $1,450,500.00.

Sec. 411. (1) From the funds appropriated in part 1 for museums support, $500,000.00 shall be awarded to support an Arab-American museum located in a county with a population over 1,300,000 and in a city with a population between 97,000 and 500,000 according to the most recent federal decennial census.

(2) From the funds appropriated in part 1 for museums support, $500,000.00 shall be awarded to support capital improvements to an African-American museum in a city with a population greater than 600,000 according to the most recent federal decennial census.

(3) From the funds appropriated in part 1 for museums support, $500,000.00 shall be awarded to support a memorial center in a county with a population between 1,000,000 and 1,700,000 and in a city with a population between 79,000 and 80,000 according to the most recent federal decennial census to expand educational access.

LEGISLATURE

Sec. 600. The senate, the house of representatives, or an agency within the legislative branch may receive, expend, and transfer funds in addition to those authorized in part 1.

Sec. 601. (1) Funds appropriated in part 1 to an entity within the legislative branch shall not be expended or transferred to another account without written approval of the authorized agent of the legislative entity. If the authorized agent of the legislative entity notifies the state budget director of its approval of an expenditure or transfer before the year-end book-closing date for that legislative entity, the state budget director shall immediately make the expenditure or transfer. The authorized legislative entity agency shall be designated by the speaker of the house of representatives for house entities, the senate majority leader for senate entities, and the legislative council for legislative council entities.

(2) Funds appropriated within the legislative branch, to a legislative council component, shall not be expended by any agency or other subgroup included in that component without the approval of the legislative council.

Sec. 602. The senate may charge rent and assess charges for utility costs. The amounts received for rent charges and utility assessments are appropriated to the senate for the renovation, operation, and maintenance of the Binsfeld Office Building.

Sec. 603. (1) From the appropriation contained in part 1 for national association dues, the first $34,800.00 shall be paid to the National Conference of Commissioners of Uniform State Laws. The remaining funds shall be distributed accordingly by the legislative council.

(2) If any funds remain after all required dues payments have been made as specified in subsection (1), the Legislative Council may approve the use of up to $10,000.00 to pay for the registration fees of any state employees who serve as board members to any of the national associations receiving state funds for annual dues to attend that national association's annual conference. If any of the $10,000.00 remains after national board member's registration fees are paid, the remaining funds may be used to pay for the registration fees for any other state employees to attend the annual conference of any of the national associations receiving state funds for annual dues as prescribed in subsection (1).

Sec. 604. (1) The appropriation in part 1 to the Michigan state capitol historic site includes funds to operate the legislative parking facilities in the capitol area. The Michigan state capitol commission shall establish rules regarding the operation of the legislative parking facilities.

(2) The Michigan state capitol commission shall collect a fee from state employees and the general public using certain legislative parking facilities. The revenues received from the parking fees are appropriated upon receipt and shall be allocated by the Michigan state capitol commission.

Sec. 605. The unexpended funds appropriated in part 1 for the legislative council are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is publication of the Michigan manual.

(b) The project will be accomplished by utilizing state employees or contracts with service providers, or both.

(c) The total estimated cost of the project is $3,000,000.00.

(d) The tentative completion date is September 30, 2025.

Sec. 606. The unexpended funds appropriated in part 1 for property management are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to purchase equipment and services for building maintenance in order to ensure a safe and productive work environment.

(b) The project will be accomplished by utilizing state employees or contracts with service providers, or both.

(c) The total estimated cost of the project is $2,000,000.00.

(d) The tentative completion date is September 30, 2025.

Sec. 607. The unexpended funds appropriated in part 1 for automated data processing are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to purchase equipment, software, and services in order to support and implement data processing requirements and technology improvements.

(b) The project will be accomplished by utilizing state employees or contracts with service providers, or both.

(c) The total estimated cost of the project is $3,000,000.00.

(d) The tentative completion date is September 30, 2025.

Sec. 608. In addition to funds appropriated in part 1, the Michigan capitol committee publications save the flags fund account may accept contributions, gifts, bequests, devises, grants, and donations. Those funds that are not expended in the fiscal year ending September 30 shall not lapse at the close of the fiscal year, and shall be carried forward for expenditure in the following fiscal years.

Sec. 613. The unexpended funds appropriated in part 1 for senate census tracking/reapportionment are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to purchase equipment, supplies, and services needed for tracking and reporting census and reapportionment information for this state.

(b) The project will be accomplished by utilizing state employees or contracts with service providers, or both.

(c) The total estimated cost of the project is $170,000.00.

(d) The tentative completion date is September 30, 2025.

Sec. 614. The unexpended funds appropriated in part 1 for house of representatives census tracking/reapportionment are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to purchase equipment, supplies, and services needed for tracking and reporting census and reapportionment information for this state.

(b) The project will be accomplished by utilizing state employees or contracts with service providers, or both.

(c) The total estimated cost of the project is $170,000.00.

(d) The tentative completion date is September 30, 2025.

Sec. 615. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are $31,774,700.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $15,245,800.00. Total agency appropriations for retiree health care legacy costs are estimated at $16,528,900.00.

Sec. 616. From the funds appropriated in part 1, the council administrator shall assist in administering compensation, benefits, and other personnel support, subject to the legislative council act, 1986 PA 268, MCL 4.1101 to 4.1901, for the members, employees, staff, and consultants of the independent citizens redistricting commission.

Sec. 617. From the funds appropriated in part 1, on a quarterly basis, the independent citizens redistricting commission shall issue a report to the senate and house appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director that provides a detailed listing of expenditures related to independent citizens redistricting commission activities. In addition to providing a listing of expenditures, the report must also include a detailed description of activities undertaken to fulfill the independent citizens redistricting commission's constitutional responsibilities.

LEGISLATIVE AUDITOR GENERAL

Sec. 620. Pursuant to section 53 of article IV of the state constitution of 1963, the auditor general shall conduct audits of the executive, judicial, and legislative branches.

Sec. 621. (1) The auditor general shall take all reasonable steps to ensure that certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities participate in the audits of the books, accounts, and financial affairs of each principal executive department, branch, institution, agency, and office of this state.

(2) The auditor general shall strongly encourage firms with which the auditor general contracts to perform audits of the principal executive departments and state agencies to subcontract with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities.

(3) The auditor general shall compile an annual report regarding the number of contracts entered into with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities. The auditor general shall deliver the report to the state budget director and the senate and house of representatives standing committees on appropriations subcommittees on general government by November 1 of each year.

Sec. 622. From the funds appropriated in part 1 to the legislative auditor general, the auditor general's salary and the salaries of the remaining 2.0 FTE unclassified positions shall be set by the speaker of the house of representatives, the senate majority leader, the house of representatives minority leader, and the senate minority leader.

Sec. 623. Any audits, reviews, or investigations requested of the auditor general by the legislature or by legislative leadership, legislative committees, or individual legislators shall include an estimate of the additional costs involved and, when those costs exceed $50,000.00, should provide supplemental funding. The auditor general shall determine whether to perform those activities in keeping with Operations Manual Policy No. 2-26, which describes the office of the auditor general's policy on responding to legislative requests.

Sec. 624. If the auditor general conducts a subsequent audit pursuant to section 229 of this part, the auditor general may charge fees and collect revenues in excess of appropriations in part 1 not to exceed the cost of any audit conducted pursuant to section 229 of this part. Any revenues and fees collected pursuant to this section are appropriated for expenditure for all expenses associated with an audit conducted pursuant to section 229 of this part.

Sec. 625. It is the intent of the legislature that the auditor general be authorized to access and examine confidential information of each branch, department, office, board, commission, agency, authority, and institution of the state. The auditor general would be subject to the same duty of confidentiality imposed by law on the entity providing the confidential information.

Sec. 627. The unexpended funds appropriated in part 1 for field operations are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to conduct the state of Michigan comprehensive annual financial report.

(b) The project will be accomplished by utilizing state employees.

(c) The total estimated cost of the project is $3,000,000.00.

(d) The tentative completion date is September 30, 2025.

DEPARTMENT OF STATE

Sec. 701. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $25,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $50,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 703. From the funds appropriated in part 1, the department of state shall sell copies of records including, but not limited to, records of motor vehicles, off-road vehicles, snowmobiles, watercraft, mobile homes, personal identification cardholders, drivers, and boat operators and shall charge $11.00 per record sold only as authorized in section 208b of the Michigan vehicle code, 1949 PA 300, MCL 257.208b, section 7

of 1972 PA 222, MCL 28.297, and sections 80130, 80315, 81114, and 82156 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80130, 324.80315, 324.81114, and 324.82156. The revenue received from the sale of records shall be credited to the transportation administration collection fund created under section 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b. The department of state shall provide quarterly reports to the legislature, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies. The report shall be provided within 15 days of the close of the quarter and shall include the number of records sold and the revenues collected.

Sec. 704. From the funds appropriated in part 1, the secretary of state may enter into agreements with the department of corrections for the manufacture of vehicle registration plates 15 months before the registration year in which the registration plates will be used.

Sec. 705. (1) The department of state may accept gifts, donations, contributions, and grants of money and other property from any private or public source to underwrite, in whole or in part, the cost of a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. A private or public funding source may receive written recognition in the publication and may furnish a traffic safety message, subject to departmental approval, for inclusion in the publication. The department may reject a gift, donation, contribution, or grant. The department may furnish copies of a publication underwritten, in whole or in part, by a private source to the underwriter at no charge.

(2) The department of state may sell and accept paid advertising for placement in a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. The department may charge and receive a fee for any advertisement appearing in a departmental publication and shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization. The department may furnish a reasonable number of copies of a publication to an advertiser at no charge.

(3) Pending expenditure, the funds received under this section shall be deposited in the Michigan department of state publications fund created by section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211. Funds given, donated, or contributed to the department from a private source are appropriated and allocated for the purpose for which the revenue is furnished. Funds granted to the department from a public source are allocated and may be expended upon receipt. The department shall not accept a gift, donation, contribution, or grant if receipt is conditioned upon a commitment of state funding at a future date. Revenue received from the sale of advertising is appropriated and may be expended upon receipt.

(4) Any unexpended revenues received under this section shall be carried over into subsequent fiscal years and shall be available for appropriation for the purposes described in this section.

(5) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant appropriations subcommittees, the senate and house fiscal agencies, and the state budget director. The report shall include all of the following information:

(a) The amount of gifts, contributions, donations, and grants of money received by the department under this section for the prior fiscal year.

(b) A listing of the expenditures made from the amounts received by the department as reported in subdivision (a).

(c) A listing of any gift, donation, contribution, or grant of property other than funding received by the department under this section for the prior year.

(d) The total revenue received from the sale of paid advertising accepted under this section and a statement of the total number of advertising transactions.

(6) In addition to copies delivered without charge as the secretary of state considers necessary, the department of state may sell copies of manuals and other publications regarding the sale, ownership, or operation or regulation of motor vehicles, with amendments, at prices to be established by the secretary of state. As used in this subsection, the term “manuals and other publications” includes videos and proprietary electronic publications. All funds received from sales of these manuals and other publications shall be credited to the Michigan department of state publications fund.

Sec. 707. Funds collected by the department of state under section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211, are appropriated for all expenses necessary to provide for the costs of the publication. Funds are allotted for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 708. From the funds appropriated in part 1, the department of state shall use available balances at the end of the state fiscal year to provide payment to the department of state police in the amount of $332,000.00 for the services provided by the traffic accident records program as first appropriated in 1990 PA 196 and 1990 PA 208.

Sec. 709. From the funds appropriated in part 1, the department of state may restrict funds from miscellaneous revenue to cover cash shortages created from normal branch office operations. This amount shall not exceed $50,000.00 of the total funds available in miscellaneous revenue.

Sec. 711. Collector plate and fund-raising registration plate revenues collected by the department of state are appropriated and allotted for distribution to the recipient university or public or private agency overseeing a state-sponsored goal when received. Distributions shall occur on a quarterly basis or as otherwise authorized by law. Any revenues remaining at the end of the fiscal year shall not lapse to the general fund but shall remain available for distribution to the university or agency in the next fiscal year.

Sec. 712. The department of state may produce and sell copies of a training video designed to inform registered automotive repair facilities of their obligations under Michigan law. The price shall not exceed the cost of production and distribution. The money received from the sale of training videos shall revert to the department of state and be placed in the auto repair facility account.

Sec. 713. (1) The department of state, in collaboration with the gift of life transplantation society or its successor federally designated organ procurement organization, may develop and administer a public information campaign concerning the Michigan organ donor program.

(2) The department of state may solicit funds from any private or public source to underwrite, in whole or in part, the public information campaign authorized by this section. The department may accept gifts, donations, contributions, and grants of money and other property from private and public sources for this purpose. A private or public funding source underwriting the public information campaign, in whole or in substantial part, shall receive sponsorship credit for its financial backing.

(3) Funds received under this section, including grants from state and federal agencies, shall not lapse to the general fund at the end of the fiscal year but shall remain available for expenditure for the purposes described in this section.

(4) Funding appropriated in part 1 for the organ donor program shall be used for producing a pamphlet to be distributed with driver licenses and personal identification cards regarding organ donations. The funds shall be used to update and print a pamphlet that will explain the organ donor program and encourage people to become donors by marking a checkoff on driver license and personal identification card applications.

(5) The pamphlet shall include a return reply form addressed to the gift of life organization. Funding appropriated in part 1 for the organ donor program shall be used to pay for return postage costs.

(6) In addition to the appropriations in part 1, the department of state may receive and expend funds from the organ and tissue donation education fund for administrative expenses.

(7) The department must submit a report to the house and senate appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director by March 1 that provides the amount of revenue collected by the department of state authorized under this section, the purpose of each expenditure, and the amount of revenue carried forward.

Sec. 714. (1) Except as otherwise provided under subsection (2), at least 180 days before closing a branch office or consolidating a branch office and at least 60 days before relocating a branch office, the department of state shall inform members of the senate and house of representatives standing committees on appropriations and legislators who represent affected areas regarding the details of the proposal. The information provided shall be in written form and include all analyses done regarding criteria for changes in the location of branch offices, including, but not limited to, branch transactions, revenue, and the impact on citizens of the affected area. The impact on citizens shall include information regarding additional distance to branch office locations resulting from the plan. The written notice provided by the department of state shall also include detailed estimates of costs and savings that will result from the overall changes made to the branch office structure and the same level of detail regarding costs for new leased facilities and expansions of current leased space.

(2) If the consolidation of a branch office is with another branch office that is located within the same local unit of government or the relocation of a branch office is to another location that is located within the same local unit of government, the department of state is not required to provide the notification or written information described in subsection (1).

(3) As used in this section, “local unit of government” means a city, village, township, or county.

Sec. 715. (1) Any service assessment collected by the department of state from the user of a credit or debit card under section 3 of 1995 PA 144, MCL 11.23, may be used by the department for necessary expenses related to that service and may be remitted to a credit or debit card company, bank, or other financial institution.

(2) The service assessment imposed by the department of state for credit and debit card services may be based either on a percentage of each individual credit or debit card transaction, or on a flat rate per transaction, or both, scaled to the amount of the transaction. However, the department shall not charge any amount for a service assessment which exceeds the costs billable to the department for service assessments.

(3) If there is a balance of service assessments received from credit and debit card services remaining on September 30, the balance may be carried forward to the following fiscal year and appropriated for the same purpose.

(4) As used in this section, "service assessment" means and includes costs associated with service fees imposed by credit and debit card companies and processing fees imposed by banks and other financial institutions.

Sec. 717. (1) The department of state may accept nonmonetary gifts, donations, or contributions of property from any private or public source to support, in whole or in part, the operation of a departmental function relating to licensing, regulation, or safety. The department may recognize a private or public contributor for making the contribution. The department may reject a gift, donation, or contribution.

(2) The department of state shall not accept a gift, donation, or contribution under subsection (1) if receipt of the gift, donation, or contribution is conditioned upon a commitment of future state funding.

(3) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant appropriations subcommittees, the senate and house fiscal agencies, and the state budget director. The report shall list any gift, donation, or contribution received by the department under subsection (1) for the prior calendar year.

Sec. 719. From the funds appropriated in part 1 for election administration and services, the department of state shall make available at least 1 voting machine to at least 1 high school per regional prosperity region for the purpose of allowing pupils to familiarize themselves with the voting procedure through a simulated election to be determined by the high schools receiving a voting machine. The voting machines shall be made available to the selected high schools at no cost to the high school or school district in which the high school is located.

Sec. 721. From the funds appropriated in part 1, the department of state must submit a quarterly report of all department expenditures, itemized by purpose, associated with its role as serving as secretary of the citizens redistricting commission, and all other department activities related to implementing section 6 of article IV of the state constitution of 1963. The report must be submitted to the house and senate appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget office.

Sec. 721a. From the funds appropriated in part 1, the department of state must submit a quarterly report of all department expenditures, itemized by purpose, associated with implementing changes and new procedures and purchasing equipment as a result of section 4 of article II of the state constitution of 1963. The report must be submitted to the house and senate appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget office.

Sec. 722. (1) From the funds appropriated in part 1 for information technology services and projects, the department of state shall continue implementation of a legacy modernization project. The purpose of this project is modernization of the entire system and removal of existing programs from the legacy mainframes.

(2) The department of state shall provide a report on the status of the legacy modernization project that includes, but is not limited to, itemization of all expenditures made on behalf of the project, anticipated completion date of the project, time frame of each phase of the project, the cost of the project, the number of employees assigned to implement each phase of the project, the contracts entered into for the project, anticipated overall cost of the project, and any other information the department considers necessary. The plan shall be distributed to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director by January 1.

Sec. 723. The funds appropriated in part 1 for county clerk education and training shall only be used for costs associated with the training of local clerks in preparation for elections. The department of state shall not allocate any funds appropriated for county clerk education and training for any other purposes.

Sec. 725. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $33,185,900.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $15,923,000.00. Total agency appropriations for retiree health care legacy costs are estimated at $17,262,900.00.

DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET

Sec. 801. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $2,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $4,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they

have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $75,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $50,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 802. Proceeds in excess of necessary costs incurred in the conduct of transfers or auctions of state surplus, salvage, or scrap property made pursuant to section 267 of the management and budget act, 1984 PA 431, MCL 18.1267, are appropriated to the department to offset costs incurred in the acquisition and distribution of surplus property. The MDTMB shall provide consolidated internet auction services through the state's contractors for all local units of government.

Sec. 803. (1) The MDTMB may receive and expend funds in addition to those authorized by part 1 for maintenance and operation services provided specifically to other principal executive departments or state agencies, the legislative branch, the judicial branch, or private tenants, or provided in connection with facilities transferred to the operational jurisdiction of the department.

(2) The MDTMB may receive and expend funds in addition to those authorized by part 1 for real estate, architectural, design, and engineering services provided specifically to other principal executive departments or state agencies, the legislative branch, the judicial branch, or private tenants.

(3) The MDTMB may receive and expend funds in addition to those authorized in part 1 for mail pickup and delivery services provided specifically to other principal executive departments and state agencies, the legislative branch, or the judicial branch.

(4) The MDTMB may receive and expend funds in addition to those authorized in part 1 for purchasing services provided specifically to other principal executive departments and state agencies, the legislative branch, or the judicial branch.

Sec. 804. (1) Financing in part 1 for statewide appropriations shall be funded by assessments against longevity and insurance appropriations throughout state government in a manner prescribed by the department. Funds shall be used as specified in joint labor/management agreements or through the coordinated compensation hearings process. Any deposits made under this subsection and any unencumbered funds are restricted revenues, may be carried over into the succeeding fiscal years, and are appropriated.

(2) In addition to the funds appropriated in part 1 for statewide appropriations, the MDTMB may receive and expend funds in such additional amounts as may be specified in joint labor/management agreements or through the coordinated compensation hearings process in the same manner and subject to the same conditions as prescribed in subsection (1).

Sec. 805. To the extent a specific appropriation is required for a detailed source of financing included in part 1 for the MDTMB appropriations financed from special revenue and internal service and pension trust funds, or SIGMA user charges, the specific amounts are appropriated within the special revenue internal service and pension trust funds in portions not to exceed the aggregate amount appropriated in part 1.

Sec. 806. In addition to the funds appropriated in part 1 to the MDTMB, the MDTMB may receive and expend funds from other principal executive departments and state agencies to implement administrative leave bank transfer provisions as may be specified in joint labor/management agreements. The amounts may also be transferred to other principal executive departments and state agencies under the joint agreement and any amounts transferred under the joint agreement are authorized for receipt and expenditure by the receiving principal executive department or state agency. Any amounts received by the MDTMB under this section and intended, under the joint labor/management agreements, to be available for use beyond the close of the fiscal year and any unencumbered funds may be carried over into the succeeding fiscal year.

Sec. 807. Financing in part 1 for SIGMA shall be funded by proportionate charges assessed against the respective state funds benefiting from this project in the amounts determined by the department.

Sec. 808. (1) Deposits against the interdepartmental grant from building occupancy and parking charges appropriated in part 1 shall be collected, in part, from state agencies, the legislative branch, and the judicial branch based on estimated costs associated with maintenance and operation of buildings managed by the department. To the extent excess revenues are collected due to estimates of building occupancy charges exceeding actual costs, the excess revenues may be carried forward into succeeding fiscal years for the purpose of returning funds to state agencies.

(2) Appropriations in part 1 to the MDTMB, for management and budget services for building occupancy charges and parking charges, may be increased to return excess revenue collected to state agencies.

Sec. 809. On a quarterly basis, the MDTMB shall notify the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the senate and house of representatives standing committees on appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget director on any revisions either individually or in the aggregate that increase or decrease current contracts by more than $250,000.00 for computer software development, hardware acquisition, or quality assurance.

Sec. 810. From the funds appropriated in part 1, MDTMB shall maintain an internet website that contains notice of all solicitations, invitations for bids, and requests for proposals over $50,000.00 issued by MDTMB or by any state agency operating under delegated authority, except for solicitations up to $500,000.00 in accordance with department policy regarding providing opportunities to Michigan small businesses, geographically disadvantaged business enterprises, Michigan veteran-owned business, Michigan service disabled veteran-owned businesses, or Michigan recognized community rehabilitation organizations, or in situations where it would be in the best interest of this state and documented by MDTMB. This information must appear on the first page of each department or state agency dashboard. MDTMB shall not set the due date for acceptance of an invitation for bid or request for proposal to less than 14 days after the notice is made available on the internet website, except in situations where it would be in the best interest of this state and documented by the department. In addition to the requirements of this section, MDTMB may advertise the solicitations, invitations for bids, and requests for proposals in any manner MDTMB determines appropriate, in order to give the greatest number of individuals and businesses the opportunity to respond, or make bids or requests for proposals.

Sec. 811. The MDTMB may receive and expend funds from the Vietnam veterans memorial monument fund as provided in the Michigan Vietnam veterans memorial act, 1988 PA 234, MCL 35.1051 to 35.1057. Funds are appropriated and allocated when received and may be expended upon receipt.

Sec. 812. The Michigan veterans' memorial park commission may receive and expend money from any source, public or private, including, but not limited to, gifts, grants, donations of money, and government appropriations, for the purposes described in Executive Order No. 2001-10. Funds are appropriated and allocated when received and may be expended upon receipt. Any deposits made under this section and unencumbered funds are restricted revenues and may be carried over into succeeding fiscal years.

Sec. 813. (1) Funds in part 1 for motor vehicle fleet are appropriated to the MDTMB for administration and for the acquisition, lease, operation, maintenance, repair, replacement, and disposal of state motor vehicles.

(2) The appropriation in part 1 for motor vehicle fleet shall be funded by revenue from rates charged to principal executive departments and agencies for utilizing vehicle travel services provided by the MDTMB. Revenue in excess of the amount appropriated in part 1 from the motor transport fund and any unencumbered funds are restricted revenues and may be carried over into the succeeding fiscal year.

(3) Pursuant to the MDTMB's authority under sections 213 and 215 of the management and budget act, 1984 PA 431, MCL 18.1213 and 18.1215, the MDTMB shall maintain a plan regarding the operation of the motor vehicle fleet. The plan shall include the number of vehicles assigned to, or authorized for use by, state departments and agencies, efforts to reduce travel expenditures, the number of cars in the motor vehicle fleet, the number of miles driven by fleet vehicles, and the number of gallons of fuel consumed by fleet vehicles. The plan shall include a calculation of the amount of state motor vehicle fuel taxes that would have been incurred by fleet vehicles if fleet vehicles were required by law to pay motor fuel taxes. The plan shall include a description of fleet garage operations, the goods sold and services provided by the fleet garage, the cost to operate the fleet garage, the number of fleet garage locations, and the number of employees assigned to each fleet garage. The plan may be adjusted during the fiscal year based on needs and cost savings to achieve the maximum value and efficiency from the state motor fleet. Within 60 days after the close of the fiscal year, the MDTMB shall provide a report to the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant appropriations subcommittees, the senate and house fiscal agencies, and the state budget director detailing the current plan and changes made to the plan during the fiscal year. The plan shall also be posted on the department website.

(4) The MDTMB may charge state agencies for fuel cost increases that exceed $3.04 per gallon of unleaded gasoline. The MDTMB shall notify state agencies, in writing or by electronic mail, at least 30 days before implementing additional charges for fuel cost increases. Revenues received from these charges are appropriated upon receipt.

(5) The state budget director, upon notification to the senate and house of representatives standing committees on appropriations, may adjust spending authorization and the IDG from motor transport fund in the MDTMB in order to ensure that the appropriations for motor vehicle fleet in the MDTMB budget equal the expenditures for motor vehicle fleet in the budgets for all executive branch agencies.

Sec. 814. The MDTMB shall develop a plan regarding the use of the funds appropriated in part 1 for the information technology investment fund. The plan shall include, but not be limited to, a description of proposed information technology investment projects, the time frame for completion of the information technology investment projects, the proposed cost of the information technology investment projects, the number of employees assigned to implement each information technology investment project, the contracts entered into for each information technology investment project, and any other information the MDTMB deems necessary. The plan shall be distributed to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director on a quarterly basis. The submitted plan shall also include anticipated spending reductions or overages for each of the proposed information technology investment projects. The MDTMB shall notify the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director when a project funded under an information technology investment project line item in part 1 is expected to require a transfer of dollars from another project in excess of $500,000.00.

Sec. 814a. The funds appropriated in part 1 for information technology investment fund shall be used for the modernization of state information technology systems, improvement of the state's cyber security framework, and to achieve efficiencies.

Sec. 816. An RFP issued for the purpose of privatization shall include all factors used in evaluating and determining price.

Sec. 818. In addition to the funds appropriated in part 1, the MDTMB may receive and expend money from the Michigan law enforcement officers memorial monument fund as provided in the Michigan law enforcement officers memorial act, 2004 PA 177, MCL 28.781 to 28.787.

Sec. 820. The MDTMB shall make available to the public a list of all parcels of real property owned by the state that are available for purchase. The list shall be posted on the internet through the MDTMB's website.

Sec. 821. (1) From the funds appropriated in part 1, the office of retirement services within MDTMB must produce an annual report by September 30 on the judges' retirement system, the military retirement system, the Michigan public school employees' retirement system, the state employees' retirement system, and the state police retirement system. The report shall be distributed to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget office.

(2) The report must include, but is not limited to, the following information for each of the aforementioned retirement systems:

(a) A chart and table detailing annual required contribution flow per year for fiscal year 2021-2022 and the subsequent 24 fiscal years.

(b) Separate annual required contribution payment charts and tables for pension and other postemployment benefits.

(c) Separate annual required contribution payment charts and tables for the current annualized rate of return, an annualized rate of return 50 basis points less than the current annualized rate of return, and an annualized rate of return 100 basis points less than the current annualized rate of return.

(d) Separate annual required contribution payment charts and tables by normal cost and unfunded actuarial accrued liability.

(e) A justification if the payroll growth assumption is maintained at or above 0% for any pension or OPEB plan. The report must include an analysis as of active employee plan member forecasts.

(3) The report must include the following items specific to the Michigan public school employees' retirement system:

(a) A copy of the retirement plan election guide that is provided to new Michigan public school employees' retirement system hires as of the due date of the report.

(b) The number of new Michigan public school employees' retirement system employees who entered the defined contribution plan and pension plus II plan during no later than 14 days after the end of the current fiscal year.

(c) An explanation of how the retirement plan election guide explains that pension plus II members must pay 50% of any future unfunded actuarial accrued liability payments.

(d) An explanation of how the retirement plan election guide explains that defined contribution plan members have annuity options that allow for guaranteed retirement income available through a private insurance company.

(e) If any calculations are provided to plan members for expected retirement income, then the following items must be included:

(*i*) An explanation of how the retirement plan election guide demonstrates a range of potential outcomes.

(*ii*) The underlying assumptions the retirement plan election guide uses to calculate expected future retirement income.

(*iii*) How underlying assumptions are disclosed in the guide.

(4) The report must include the amount of money that each school district received, on a per pupil basis, in foundation allowances that was spent on Michigan public school employees' retirement system costs in the previous fiscal year.

(5) Beginning at the end of the fiscal year, the office of retirement services has 90 days to post the most recent year's comprehensive annual financial report for each plan described in subsection (1).

Sec. 822. The MDTMB shall compile a report by January 1 pertaining to the salaries of unclassified employees, and gubernatorial appointees, within all state departments and agencies. The report shall enumerate each unclassified employee and gubernatorial appointee and his or her annual salary individually. The report shall be distributed to the chairs of the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director and be made available electronically.

Sec. 822c. The funds appropriated in part 1 shall not be used to support any staff effort, projects, consultant expenses, or any other activity related to the development, financing, construction, operation, or implementation of the Gordie Howe International Crossing or any successor project unless the project is approved by the legislature and signed into law.

Sec. 822d. By December 31, the MDTMB shall provide a report to the senate and house appropriations subcommittees on general government and the senate and house fiscal agencies that identifies fee and rate schedules to be used by state departments and agencies for services, including information technology, provided by the MDTMB during fiscal year 2020-2021. The report shall also identify changes from fees and rates charged in fiscal year 2019-2020 and include an explanation of the factors that justify each fee and rate increase.

Sec. 822e. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $93,732,800.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $44,974,200.00. Total agency appropriations for retiree health care legacy costs are estimated at $48,758,600.00.

Sec. 822g. The MDTMB shall report quarterly to the senate and house of representatives standing committees on appropriations, the senate and house appropriations subcommittees on general government, and the senate and house fiscal agencies on legal service fund expenditures. The report shall itemize expenditures by case, purpose, and department involved and shall include expenditures related to all previously appropriated funds.

Sec. 822m. (1) From the funds appropriated in part 1, the MDTMB shall establish a system that collaborates with other departments to keep track of the performance of vendors in fulfilling contract obligations. The performance of these vendors shall be recorded and used as a factor to determine future contracts awarded in the procurement process.

(2) By March 15 the MDTMB shall provide a complete listing of all state departments and agencies that have not complied with the requirements of this section by March 1. The report listing noncompliant state departments and agencies shall be submitted no later than March 15 to the chairpersons of the house and senate appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget director.

Sec. 822n. From the funds appropriated in part 1, beginning on October 1, the MDTMB shall ensure that all new requests for proposals that are publicly displayed on the webpage include the proposal's corresponding department and agency for the purpose of searching for requests for proposals by department and agency.

INFORMATION TECHNOLOGY

Sec. 823. (1) The MDTMB may sell and accept paid advertising for placement on any state website under its jurisdiction. The MDTMB shall review and approve the content of each advertisement. The MDTMB may refuse to accept advertising from any person or organization or require modification to advertisements based upon criteria determined by the MDTMB. Revenue received under this subsection shall be used for operating costs of the MDTMB and for future technology enhancements to state of Michigan e-government initiatives. Funds received under this subsection shall be limited to $250,000.00. Any funds in excess of $250,000.00 shall be deposited in the state general fund.

(2) The MDTMB may accept gifts, donations, contributions, bequests, and grants of money from any public or private source to assist with the underwriting or sponsorship of state webpages or services offered on those webpages. A private or public funding source may receive recognition in the webpage. The MDTMB may reject any gift, donation, contribution, bequest, or grant.

(3) Funds accepted by the MDTMB under subsection (1) or (2) are appropriated and allotted when received and may be expended upon approval of the state budget director. The state budget office shall notify the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies within 10 days after the approval is given. The MDTMB shall provide a report to the senate and house of representatives appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget director that details the funds accepted for the prior fiscal year by November 1.

Sec. 824. The MDTMB may enter into agreements to supply spatial information and technical services to other principal executive departments, state agencies, local units of government, and other organizations. The MDTMB may receive and expend funds in addition to those authorized in part 1 for providing information and technical services, publications, maps, and other products. The MDTMB may expend amounts received for salaries, supplies, and equipment necessary to provide informational products and technical services. Prior to December 31 of each year, the MDTMB shall provide a report to the senate and house of representatives standing committees on appropriations subcommittees on general government and the state budget office detailing the sources of funding and expenditures made under this section.

Sec. 825. The legislature shall have access to all historical and current data contained within SIGMA, or its predecessor, pertaining to state departments. State departments shall have access to all historical and current data contained within SIGMA or its predecessor.

Sec. 826. When used in this part and part 1, “information technology services” means services involving all aspects of managing and processing information, including, but not limited to, all of the following:

(a) Application and mobile development and maintenance.

(b) Desktop computer support and management.

(c) Cyber security.

(d) Social media.

(e) Mainframe computer support and management.

(f) Server support and management.

(g) Local area network support and management, including, but not limited to, wired and wireless network build-out, support, and management.

(h) Information technology project management.

(i) Information technology planning and budget management.

(j) Telecommunication services, infrastructure, and support.

Sec. 827. (1) Funds appropriated in part 1 for the Michigan public safety communications system shall be expended upon approval of an expenditure plan by the state budget director.

(2) The MDTMB shall assess all subscribers of the Michigan public safety communications system reasonable access and maintenance fees and shall deposit the fees in the Michigan public safety communications systems fees fund.

(3) All money received by the MDTMB under this section shall be expended for the support and maintenance of the Michigan public safety communications system.

(4) The department must provide a report to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget office by April 15, indicating the amount of revenue collected under this section and expended for support and maintenance of the Michigan public safety communication system for the immediately preceding 6-month period. Any deposits made under this section and unencumbered funds are restricted revenues and shall be carried forward into succeeding fiscal years.

Sec. 828. The MDTMB shall submit a report for each fiscal quarter to the senate and house of representatives standing committees on appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget director not later than 30 calendar days after each fiscal quarter. The report shall include the following:

(a) The estimated total amount of funding appropriated for information technology services and projects, by funding source, for all principal executive departments and agencies for each fiscal quarter.

(b) A listing of the expenditures made from the amounts received by the department as reported in subdivision (a).

Sec. 829. The MDTMB shall provide a report that analyzes and makes recommendations on the life-cycle of information technology hardware and software. The report shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1.

Sec. 830. (1) The department of technology, management, and budget, enterprise portfolio management office (EPMO), must provide a report on a quarterly basis providing key information on all executive branch

department and enterprisewide information technology projects. The report must be submitted to the senate and house appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director as well as being posted online.

(2) The report must contain the following information, as applicable, for each active information technology project and each completed information technology project closed within the 2-year period immediately preceding the quarterly due date of the report:

(a) The client department, agency, or organization for which the project is being undertaken.

(b) The active or completed status.

(c) For active projects, the number of days the current approved completion date differs from the initial planned completion date.

(d) For active projects, the dollar amount the current approved budget differs from the initial planned budget.

(e) For completed projects, the number of days the actual completion date differed from the initial planned completion date.

(f) For completed projects, the dollar amount the actual cost differed from the initial planned budget.

(g) The project name.

(h) The purpose of the project described in terms of the needs of end users of the project and an explanation of the project's origination, including whether the project originated from state mandate, federal mandate, court order, or department initiative.

(i) Whether the project is managed by MDTMB's enterprise portfolio management office.

(j) The initial planned budget.

(k) The revised budget if there is any increase or decrease to the project's initial budget.

(*l*) The actual cost to date.

(m) The planned start date.

(n) The actual start date.

(o) The initial planned completion date.

(p) The revised planned completion date if there is a change from the initial planned completion date.

(q) The actual completion date.

(r) A brief description of the benefit or justification of changes by project change request that impact a project's schedule or budget and whether the change request is the result of state mandate, federal mandate, court order, or department initiative.

(s) Whether quality assurance services are assigned to the project.

(t) The project success score after project closure.

(u) The customer satisfaction rating after project closure.

(v) The percentage of days a project is over its initial scheduled completion date.

(3) The report must include the total number of completed projects for which costs exceeded the initial budget, the total number of completed projects for which the completion date occurred after the initial planned completion date, the total number of completed projects that exceeded both the initial planned budget and schedule, and the corresponding percentages of each of these numbers of all completed projects.

Sec. 831. The MDTMB shall submit monthly invoices for information technology services provided by MDTMB either directly or through contracted vendors during that month to departments or agencies by no later than 45 days after receiving approval to pay vendor invoices from departments and agencies for the information technology services provided.

Sec. 832. (1) The MDTMB shall inform the senate and house appropriations subcommittees on general government and the senate and house fiscal agencies within 30 days of any potential or actual penalties assessed by the federal government for failure of the Michigan child support enforcement system to achieve certification by the federal government.

(2) If potential penalties are assessed by the federal government, the MDTMB shall submit a report to the senate and house appropriations subcommittees on general government and the senate and house fiscal agencies within 90 days specifying the MDTMB's plans to avoid actual penalties and ensure federal certification of the Michigan child support enforcement system.

Sec. 833. (1) The state budget director, upon notification to the senate and house of representatives standing committees on appropriations, may adjust spending authorization and user fees in the MDTMB in order to ensure that the appropriations for information technology in the MDTMB equal the appropriations for information technology in the budgets for all executive branch agencies.

(2) If during the course of the fiscal year a transfer or supplemental to or from the information technology line item within an agency budget is made under section 393 of the management and budget act, 1984 PA 431, MCL 18.1393, there is appropriated an equal amount of user fees in the MDTMB to accommodate an increase or decrease in spending authorization.

Sec. 834. (1) Revenue collected from licenses issued under the antenna site management project shall be deposited into the antenna site management revolving fund created for this purpose in the MDTMB. The MDTMB may receive and expend money from the fund for costs associated with the antenna site management project, including the cost of a third-party site manager. Any excess revenue remaining in the fund at the close of the fiscal year shall be proportionately transferred to the appropriate state restricted funds as designated in statute or by constitution.

(2) An antenna shall not be placed on any site pursuant to this section without complying with the respective local zoning codes and local unit of government processes.

Sec. 835. (1) In addition to the funds appropriated in part 1, the funds collected by the MDTMB for supplying census-related information and technical services, publications, statistical studies, population projections and estimates, and other demographic products are appropriated for all expenses necessary to provide the required services. These funds are available for expenditure when they are received and may be carried forward into the next succeeding fiscal year.

(2) The MDTMB must submit a report to the house and senate appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office by March 1 that provides the amount of revenue collected by the MDTMB from the authorization in subsection (1) and the amount of revenue carried forward.

Sec. 836. From the funds appropriated in part 1 for the information technology investment fund, the MDTMB shall provide for the modernization of state information technology systems, and integrate state system interfaces to improve customer service.

Sec. 838. Not later than October 1, 2020, MDTMB must develop policies and procedures that require all procurement contracts entered into by MDTMB or a state agency, including departments that have delegated procurement authority under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, to include performance-related liquidated damages or performance targets with incentives in all procurement contracts. The MDTMB must also develop policies and procedures that require MDTMB or a state agency to enforce these provisions. Departments or state agencies acting under delegated authority must inform the MDTMB of relevant performance issues. Exceptions to the inclusion or enforcement of performance-related contract provisions may only be granted by MDTMB as provided in a written or electronic record by MDTMB.

Sec. 840. From the funds appropriated in part 1 for enterprise identity management, the MDTMB shall utilize specific outcomes and performance measures including, but not limited to, the following:

(a) Implement enhanced IT project management service delivery through statewide application of best practice models and services.

(b) Collaborate with state agencies to bring all project management and project control office contracts under the enterprise portfolio management office.

(c) Initiate steps to improve the state unified information technology environment compliance rating.

Sec. 841. (1) As used in this section:

(a) “Applicant” means an internet service provider that submits an application for a grant after collaborating with the community in the unserved area.

(b) “Broadband service” means a retail service, not including a satellite service, capable of delivering high-speed internet access at speeds of at least 25 megabits per second downstream and 3 megabits per second upstream.

(c) “Deployed” means that a provider meets either of the following:

(*i*) Currently provides broadband service of at least 25 megabits per second download and 3 megabits per second upload in the specific geographic area of the proposed project of the applicant.

(*ii*) Is able to provide broadband service of at least 25 megabits per second download and 3 megabits per second upload in a specific geographic area of the proposed project of the applicant to a customer that requests that service not later than 30 days after the customer requests installation of that service and without an extraordinary commitment of resources or construction charges or fees exceeding an ordinary service activation fee. The 30-day time period is extended to 60 days if permits are needed before the broadband service is activated.

(d) “Internet service provider” means any of the following:

(*i*) An entity holding a license under the Michigan telecommunications act, 1991 PA 179, MCL 484.2101 to 484.2603.

(*ii*) An entity holding a franchise under the uniform video services local franchise act, 2006 PA 480, MCL 484.3301 to 484.3315.

(*iii*) An entity currently providing broadband service in this state.

(e) "Person" includes an individual, community organization, cooperative association, corporation, federally recognized Indian tribe, limited liability company, nonprofit corporation, partnership, or political subdivision of this state.

(f) "Trade secrets" means trade secret as that term is defined in section 2 of the uniform trade secrets act, 1998 PA 448, MCL 445.1902.

(g) "Unserved area" means any of the following:

(*i*) A census block lacking access to broadband service from at least 1 internet service provider.

(*ii*) An area lacking access to broadband service from at least 1 internet service provider according to the most accurate and granular data on the broadband map created by the Federal Communications Commission.

(*iii*) An area delineated by the MDTMB by the process established in subsection (16).

(2) From the funds appropriated in part 1 for statewide broadband, the MDTMB shall maintain a statewide broadband grant program called the connecting Michigan communities broadband grant program within 60 days of enactment. Money for the program must be provided by appropriation of state or federal funding as provided by law and managed by the MDTMB.

(3) The MDTMB shall only use money from the grant program to award grants to applicants for projects that exclusively extend broadband service into unserved areas in this state and for the MDTMB's costs to administer the program.

(4) The MDTMB shall not, directly or indirectly, award grant money to a governmental entity or educational institution or an affiliate, to own, purchase, construct, operate, or maintain a communications network, or to provide service to any residential or commercial premises.

(5) The MDTMB shall not, as a condition of an award of grant money, impose an open network architecture requirement, rate regulation, or other term or condition of service that differs from the applicant's terms or conditions of service in its other service areas.

(6) An applicant shall not receive a grant for the same project or geographic area for which the applicant has obtained federal, state, or local government funding awarded specifically to support the expansion of broadband networks. The MDTMB shall not award more than $5,000,000.00 to any 1 project or to any 1 applicant. The MDTMB shall award initial grant money within 270 days after the money is made available under this program.

(7) An award of funds must be issued by a competitive grant process. The grant process must be technology neutral, and result in awards to applicants proposing projects based on objective and efficient procedures. The criteria for determining the award of funds must include the following:

(a) The applicant's experience and financial wherewithal.

(b) The readiness to build, operate, and maintain the project.

(c) The long-term viability of the project.

(d) The scalability of the network.

(e) The applicant's ability to leverage broadband for community and economic development.

(f) The applicant's ability to provide discounted broadband service throughout the unserved area to low-income households.

(8) Priority must be given to projects that demonstrate collaboration to achieve community investment and economic development goals of the area impacted, and that are able to demonstrate that they have the managerial, financial, and technical ability to build, operate, and manage a broadband network.

(9) Within 30 days after receiving an appropriation or federal funding to implement this section, the MDTMB shall establish and publish on the MDTMB's website the criteria for competitively scoring applications. Within 60 days after the MDTMB publishes the criteria, applicants shall submit their applications for funding of their proposed project.

(10) An applicant for a grant under this section shall provide the following information on the application:

(a) The location of the project in the unserved area described by either the specific street addresses to be served or a shapefile as that term is defined in 47 USC 641.

(b) The kind and amount of broadband infrastructure to be purchased for the project.

(c) Evidence regarding the unserved nature of the community in which the project is to be located.

(d) The number of households that will have access to broadband service as a result of the project, or whose internet access service will be upgraded to broadband service as a result of the project.

(e) The significant community institutions that will benefit from the proposed project.

(f) Evidence of community support for the project with a narrative on the impact that the investment will have on community and economic development efforts in the area.

(g) The total cost of the project and a detailed budget and schedule for the project.

(h) All sources of funding or in-kind contributions for the project in addition to any grant award.

(i) The internet service provider's experience and financial wherewithal.

(11) The applicant's trade secrets, financial information, and proprietary information submitted under this section as part of an application are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(12) After scoring and considering all grant applications, the MDTMB shall make grant award recommendations. The MDTMB shall give priority in making grant award recommendations to applications that demonstrate 1 or more of the following:

(a) Collaboration to achieve community investment and economic development goals of an impacted area.

(b) The applicant has the managerial, financial, and technical ability to build, operate, and manage a broadband network.

(c) The likelihood that the unserved area will not be served without state grant funding.

(d) The project will serve a larger unserved area or a greater number of locations within an unserved area than other proposed applications.

(e) The ability of the applicant to commit to providing at least 50% of the cost to deploy the project set forth in the application.

(13) Within 30 days after the award recommendations have been made, the MDTMB shall publish on its website the grant applications, redacted according to section 14 of the freedom of information act, 1976 PA 442, MCL 15.244, the proposed geographic broadband service area, and the proposed broadband service speeds for each application that receives an award recommendation.

(14) Before granting an award to an applicant, the MDTMB shall establish a period of at least 60 days after the date the award recommendations are published on the MDTMB's website, during which time the MDTMB shall accept comments or objections concerning each application. The MDTMB shall consider all comments or objections received, and investigate them as needed, in deciding whether an applicant is eligible for a grant. If an objection submitted by a provider contains information that requires an investigation and the objection is found to be inaccurate, the provider shall reimburse the MDTMB for the cost of verifying the information.

(15) The MDTMB shall not award a grant to an applicant if verifiable information is made available that shows any of the following:

(a) The proposed project includes an area where at least 1 provider has deployed broadband service.

(b) The MDTMB receives a sworn statement from an officer of an internet service provider that the proposed project includes an area where construction of a network to provide broadband service is underway, and the construction is scheduled to be completed within 1 year after the date of the application.

(c) The MDTMB receives a sworn statement from an officer of an internet service provider that the proposed project includes either of the following:

(*i*) A specific geographical area where an internet service provider has been selected to receive, provisionally or otherwise, funding by the Federal Communications Commission or the United States Department of Agriculture specifically for the expansion of broadband services. This subparagraph does not apply to an area once either of the following has occurred:

(A) The internet service provider does not complete the requirements for obtaining the funding described in this subparagraph.

(B) The time period for the internet service provider to receive the funding described in this subparagraph has expired.

(*ii*) An area where the construction of a network to provide broadband service is to be completed no later than 2 years after the date of an application.

(16) As part of an application under this section, an applicant may request that the MDTMB specifically delineate an area within a census block as being an unserved area. To tentatively establish an unserved area within a census block, an applicant must attest to all of the following:

(a) The delineated area within the census block is unserved and does not have access to broadband service.

(b) To the best of the applicant's knowledge, no other internet service provider has plans to provide broadband service within the delineated area within 3 years after the date of the application.

(c) The delineated area is not within a census block that has been selected to receive, provisionally or otherwise, funding to support the expansion of broadband networks from the Federal Communications Commission or the United States Department of Agriculture.

(17) If a delineated area within a census block is tentatively determined by the MDTMB to be an unserved area, the recommended grant award for the application is still subject to a challenge by internet service providers under subsections (14) and (15).

(18) At the time a grant is awarded to an applicant, the MDTMB shall immediately provide notice on its website of each application receiving a grant, including the name of the entity, the amount of money being received, the broadband speed, and the unserved area for which the applicant is receiving the grant.

(19) The MDTMB shall require an applicant awarded a grant to submit a semiannual report from the time the applicant receives the grant to 3 years after completion of the project. The semiannual reports must be made available on the MDTMB's website with any proprietary information redacted. The reports must be in a format specified by the MDTMB and give an accounting by the applicant of the use of the money received and the progress toward fulfilling the objectives for which the money was granted, including all of the following:

(a) The number and location of residences and businesses that will have access to the broadband service.

(b) The speed of broadband service.

(c) The average price of broadband service.

(d) The broadband service adoption rates.

(20) A person that files a false statement under this section is ineligible to receive a grant under this section the next time grants are issued after filing that false statement.

STATE BUILDING AUTHORITY RENT

Sec. 842. (1) The state building authority rent appropriations in part 1 may also be expended for the payment of required premiums for insurance on facilities owned by the state building authority or payment of costs that may be incurred as the result of any deductible provisions in such insurance policies.

(2) If the amount appropriated in part 1 for state building authority rent is not sufficient to pay the rent obligations and insurance premiums and deductibles identified in subsection (1) for state building authority projects, there is appropriated from the general fund of the state the amount necessary to pay such obligations.

CIVIL SERVICE COMMISSION

Sec. 850. (1) In accordance with section 5 of article XI of the state constitution of 1963, all restricted funds shall be assessed a sum not less than 1% of the total aggregate payroll paid from those funds for financing the civil service commission on the basis of actual 1% restricted sources total aggregate payroll of the classified service for the preceding fiscal year. This includes, but is not limited to, restricted funds appropriated in part 1 of any appropriations act. Unexpended 1% appropriated funds shall be returned to each 1% fund source at the end of the fiscal year.

(2) The appropriations in part 1 are estimates of actual charges based on payroll appropriations. With the approval of the state budget director, the commission is authorized to adjust financing sources for civil service charges based on actual payroll expenditures, provided that such adjustments do not increase the total appropriation for the civil service commission.

(3) The financing from restricted sources shall be credited to the civil service commission by the end of the second fiscal quarter.

Sec. 851. Except where specifically appropriated for this purpose, financing from restricted sources shall be credited to the civil service commission. For restricted sources of funding within the general fund that have the legislative authority for carryover, if current spending authorization or revenues are insufficient to accept the charge, the shortage shall be taken from carryforward balances of that funding source. Restricted revenue sources that do not have carryforward authority shall be utilized to satisfy commission operating deducts first and civil service obligations second. General fund dollars are appropriated for any shortfall, pursuant to approval by the state budget director.

Sec. 852. The appropriation in part 1 to the civil service commission, for state-sponsored group insurance, flexible spending accounts, and COBRA, represents amounts, in part, included within the various appropriations throughout state government for the current fiscal year to fund the flexible spending account program included within the civil service commission. Deposits against state-sponsored group insurance, flexible spending accounts, and COBRA for the flexible spending account program shall be made from assessments levied during the current fiscal year in a manner prescribed by the civil service commission. Unspent employee contributions to the flexible spending accounts may be used to offset administrative costs for the flexible spending account program, with any remaining balance of unspent employee contributions to be lapsed to the general fund.

CAPITAL OUTLAY

Sec. 860. As used in sections 861 through 875 of this part:

(a) "Board" means the state administrative board.

(b) "Community college" means a community college organized under the community college act of 1966, 1966 PA 331, MCL 389.1 to 389.195, or under part 25 of the revised school code, 1976 PA 451, MCL 380.1601 to 380.1607, and does not include a state agency or university.

(c) "Department" means the department of technology, management, and budget.

(d) "Director" means the director of the department of technology, management, and budget.

(e) "State agency" means an agency of state government. State agency does not include a community college or university.

(f) "State building authority" means the authority created under 1964 PA 183, MCL 830.411 to 830.425.

(g) "University" means a 4-year university supported by the state. University does not include a community college or a state agency.

Sec. 861. Each capital outlay project authorized in this part and part 1 or any previous capital outlay act shall comply with the procedures required by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 862. (1) The department shall provide the JCOS, state budget director, and the senate and house fiscal agencies with reports relative to the status of each planning or construction project financed by the state building authority, by this part and part 1, or by previous acts.

(2) Before the end of each fiscal year, the department shall report to the JCOS, state budget director, and the senate and house fiscal agencies for each capital outlay project other than lump sums all of the following:

(a) The account number and name of each construction project.

(b) The balance remaining in each account.

(c) The date of the last expenditure from the account.

(d) The anticipated date of occupancy if the project is under construction.

(e) The appropriations history for the project.

(f) The professional service contractor.

(g) The amount of the project financed with federal funds.

(h) The amount of the project financed through the state building authority.

(i) The total authorized cost for the project and the state authorized share if different than the total.

(3) Before the end of each fiscal year, the department shall report the following for each project by a state agency, university, or community college that is authorized for planning but is not yet authorized for construction:

(a) The name of the project and account number.

(b) Whether a program statement is approved.

(c) Whether schematics are approved by the department.

(d) Whether preliminary plans are approved by the department.

(e) The name of the professional service contractor.

(4) As used in this section, "project" includes appropriation line items made for purchase of real estate.

Sec. 864. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

Sec. 865. (1) A site preparation economic development fund is created in the department. As used in this section, "economic development sites" means those state-owned sites declared as surplus property pursuant to section 251 of the management and budget act, 1984 PA 431, MCL 18.1251, that would provide economic benefit to the area or to the state. The MEDC board and the state budget director shall determine whether or not a specific state-owned site qualifies for inclusion in the fund created under this subsection.

(2) Proceeds from the sale of any sites designated in subsection (1) shall be deposited into the fund created in subsection (1) and shall be available for site preparation expenditures, unless otherwise provided by law. The economic development sites authorized in subsection (1) are authorized for sale consistent with state law. Expenditures from the fund are authorized for site preparation activities that enhance the marketable sale value of the sites. Site preparation activities include, but are not limited to, demolition, environmental studies and abatement, utility enhancement, and site excavation.

(3) A cash advance in an amount of not more than $25,000,000.00 is authorized from the general fund to the site preparation economic development fund.

(4) An annual report shall be transmitted to the senate and house of representatives standing committees on appropriations not later than December 31 of each year. This report shall detail both of the following:

(a) The revenue and expenditure activity in the fund for the preceding fiscal year.

(b) The sites identified as economic development sites under subsection (1).

CAPITAL OUTLAY - UNIVERSITIES AND COMMUNITY COLLEGES

Sec. 873. (1) This section applies only to projects for community colleges.

(2) State support is directed towards the remodeling and additions, special maintenance, or construction of certain community college buildings. The community college shall obtain or provide for site acquisition and initial main utility installation to operate the facility. Funding shall be composed of local and state shares and not more than 50% of a capital outlay project, not including a lump-sum special maintenance project or remodeling and addition project, for a community college shall be appropriated from state and federal funds, unless otherwise appropriated by the legislature.

(3) An expenditure under this part and part 1 is authorized when the release of the appropriation is approved by the board upon the recommendation of the director. The director may recommend to the board the release of any appropriation in part 1 only after the director is assured that the legal entity operating the community college to which the appropriation is made has complied with this part and part 1 and has matched the amounts appropriated as required by this part and part 1. A release of funds in part 1 shall not exceed 50% of the total cost of planning and construction of any project, not including lump-sum remodeling and additions and special maintenance, unless otherwise appropriated by the legislature. Further planning and construction of a project authorized by this part and part 1 or applicable sections of the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, shall be in accordance with the purpose and scope as defined and delineated in the approved program statements and planning documents. This part and part 1 are applicable to all projects for which planning appropriations were made in previous acts.

(4) The community college shall take the steps necessary to secure available federal construction and equipment money for projects funded for construction in this part and part 1 if an application was not previously made. If there is a reasonable expectation that a prior year unfunded application may receive federal money in a subsequent year, the college shall take whatever action necessary to keep the application active.

Sec. 874. If university and community college matching revenues are received in an amount less than the appropriations for capital projects contained in this part and part 1, the state funds shall be reduced in proportion to the amount of matching revenue received.

Sec. 875. (1) The director may require that community colleges and universities that have an authorized project listed in part 1 submit documentation regarding the project match and governing board approval of the authorized project not more than 60 days after the beginning of the fiscal year.

(2) If the documentation required by the director under subsection (1) is not submitted, or does not adequately authenticate the availability of the project match or board approval of the authorized project, the authorization may terminate. The authorization terminates 30 days after the director notifies the JCOS of the intent to terminate the project unless the JCOS convenes to extend the authorization.

DEPARTMENT OF TREASURY

OPERATIONS

Sec. 901. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $20,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 902. (1) Amounts needed to pay for interest, fees, principal, mandatory and optional redemptions, arbitrage rebates as required by federal law, and costs associated with the payment, registration, trustee services, credit enhancements, and issuing costs in excess of the amount appropriated to the department of treasury in part 1 for debt service on notes and bonds that are issued by the state under sections 14, 15, and 16 of article IX of the state constitution of 1963 as implemented by 1967 PA 266, MCL 17.451 to 17.455, are appropriated.

(2) In addition to the amount appropriated to the department of treasury for debt service in part 1, there is appropriated an amount for fiscal year cash-flow borrowing costs to pay for interest on interfund borrowing made under 1967 PA 55, MCL 12.51 to 12.53.

(3) In addition to the amount appropriated to the department of treasury for debt service in part 1, there is appropriated all repayments received by the state on loans made from the school bond loan fund not required to be deposited in the school loan revolving fund by or pursuant to section 4 of 1961 PA 112, MCL 388.984, to the extent determined by the state treasurer, for the payment of debt service, including, without limitation, optional and mandatory redemptions, on bonds, notes or commercial paper issued by the state pursuant to 1961 PA 112, MCL 388.981 to 388.985.

Sec. 902a. The department of treasury shall notify the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant appropriations subcommittees, the senate and house fiscal agencies, and the state budget office not more than 30 days after a refunding or restructuring bond issue is sold. The notification shall compare the annual debt service prior to the refinancing or restructuring, the annual debt service after the refinancing or restructuring, the change in the principal and interest over the duration of the debt, and the projected change in the present value of the debt service due to the refinancing and restructuring.

Sec. 902b. The department of treasury shall report not later than 30 days after the state of Michigan comprehensive annual financial report is published to the chairpersons of the senate and house of representatives appropriations subcommittees on general government, the house and senate fiscal agencies, and the state budget office on all funds that are controlled or administered by the department and not appropriated in part 1. This notification can be completed electronically and the department of treasury must notify the recipients when the report is publicly available. Both the current and any previous reports required under this section shall be saved and publicly available on the department of treasury public internet website and stored in a common location with all other statutory and boilerplate required reports. The link to the location of the reports shall be clearly indicated on the main page of the department of treasury internet website. The report shall include all of the following information:

(a) The starting balance for each fund from the previous fiscal year.

(b) Total revenue generated by both transfers in and investments for each fund in the previous fiscal year.

(c) Total expenditures for each fund in the previous fiscal year.

(d) The ending balance for each fund for the previous fiscal year.

Sec. 903. (1) From the funds appropriated in part 1, the department of treasury may contract with private collection agencies and law firms to collect taxes and other accounts due this state. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 25% of the collections or 2.5% plus operating costs, whichever amount is prescribed by each contract. The appropriation to fund collection costs and fees for the collection of taxes or other accounts due this state are from the fund or account to which the revenues being collected are recorded or dedicated. However, if the taxes collected are constitutionally dedicated for a specific purpose, the appropriation of collection costs and fees are from the general purpose account of the general fund.

(2) From the funds appropriated in part 1, the department of treasury may contract with private collections agencies and law firms to collect defaulted student loans and other accounts due the Michigan guaranty agency. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 24.34% of the collection or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of defaulted student loans due the Michigan guaranty agency is from the fund or account to which the revenues being collected are recorded or dedicated.

(3) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director, the senate and house of representatives standing committees on appropriations, and the chairpersons of the relevant appropriations subcommittees, not later than November 30 stating the agencies or law firms employed, the amount of collections for each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

(4) As a condition of receiving funds appropriated in part 1 for collection services, the department of treasury shall issue an RFP for secondary placement collection services if RFPs are issued for primary collection services. The RFP shall allow for a multiple collection contract approach. It shall also allow a bidder to bid on the entire contract, or for individual components of the contract.

Sec. 904. (1) The department of treasury, through its bureau of investments, may charge an investment service fee against the applicable retirement funds. The fees may be expended for necessary salaries, wages, contractual services, supplies, materials, equipment, travel, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement funds. Service fees shall not exceed the aggregate amount appropriated in part 1. The department of treasury shall maintain accounting records in sufficient detail to enable the retirement funds to be reimbursed periodically for fee revenue that is determined by the department of treasury to be surplus.

(2) In addition to the funds appropriated in part 1 from the retirement funds to the department of treasury, there is appropriated from retirement funds an amount sufficient to pay for the services of money managers, investment advisors, investment consultants, custodians, and other outside professionals, the state treasurer considers necessary to prudently manage the retirement funds' investment portfolios. The state treasurer shall report annually to the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant appropriations subcommittees, and the state budget office concerning the performance of each portfolio by investment advisor.

Sec. 904a. (1) There is appropriated an amount sufficient to recognize and pay expenditures for financial services provided by financial institutions or equivalent vendors that perform these services including treasury as provided under section 1 of 1861 PA 111, MCL 21.181.

(2) The appropriations under subsection (1) shall be funded by restricting revenues from common cash interest earnings and investment earnings in an amount sufficient to record these expenditures. If the amounts of common cash interest earnings are insufficient to cover these costs, then miscellaneous revenues shall be used to fund the remaining balance of these expenditures.

Sec. 905. A revolving fund known as the municipal finance fee fund is created in the department of treasury. Fees are established under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, and the fees collected shall be credited to the municipal finance fee fund and may be carried forward for future appropriation.

Sec. 906. (1) The department of treasury shall charge for audits as permitted by state or federal law or under contractual arrangements with local units of government, other principal executive departments, or state agencies. However, the charge shall not be more than the actual cost for performing the audit. A report detailing audits performed and audit charges for the immediately preceding fiscal year shall be submitted to the state budget director, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies not later than November 30.

(2) A revolving fund known as the audit charges fund is created in the department of treasury. The contractual charges collected shall be credited to the audit charges fund and may be carried forward for future appropriation.

Sec. 907. A revolving fund known as the assessor certification and training fund is created in the department of treasury. The assessor certification and training fund shall be used to organize and operate a property assessor certification and training program. Each participant certified and trained shall pay to the department of treasury examination fees not to exceed $50.00 per examination and certification fees not to exceed $175.00. Training courses shall be offered in assessment administration. Each participant shall pay a fee to cover the expenses incurred in offering the optional programs to certified assessing personnel and other individuals interested in an assessment career opportunity. The fees collected shall be credited to the assessor certification and training fund.

Sec. 908. The amount appropriated in part 1 for the home heating assistance program is to cover the costs, including data processing, of administering federal home heating credits to eligible claimants and to administer the supplemental fuel cost payment program for eligible tax credit and welfare recipients.

Sec. 909. Revenue from the airport parking tax act, 1987 PA 248, MCL 207.371 to 207.383, is appropriated and shall be distributed under section 7a of the airport parking tax act, 1987 PA 248, MCL 207.377a.

Sec. 910. The disbursement by the department of treasury from the bottle deposit fund to dealers as required by section 3c(2) of 1976 IL 1, MCL 445.573c, is appropriated.

Sec. 911. (1) There is appropriated an amount sufficient to recognize and pay refundable tax credits, tax refunds, and interest as provided by law.

(2) The appropriations under subsection (1) shall be funded by restricting tax revenue in an amount sufficient to record these expenditures.

Sec. 912. A plaintiff in a garnishment action involving this state shall pay to the state treasurer 1 of the following:

(a) A fee of $6.00 at the time a writ of garnishment of periodic payments is served upon the state treasurer, as provided in section 4012 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4012.

(b) A fee of $6.00 at the time any other writ of garnishment is served upon the state treasurer, except that the fee shall be reduced to $5.00 for each writ of garnishment for individual income tax refunds or credits filed by magnetic media.

Sec. 913. (1) The department of treasury may contract with private firms to appraise and, if necessary, appeal the assessments of senior citizen cooperative housing units. Payment for this service shall be from savings resulting from the appraisal or appeal process.

(2) Of the funds appropriated in part 1 to the department of treasury for the senior citizens' cooperative housing tax exemption program, a portion may be utilized for a program audit of the program. The department of treasury shall forward copies of any audit report completed to the senate and house of representatives standing committees on appropriations subcommittees on general government and to the state budget office. The department of treasury may utilize up to 1% of the funds for program administration and auditing.

Sec. 914. The department of treasury may provide a $200.00 annual prize from the Ehlers internship award account in the gifts, bequests, and deposit fund to the runner-up of the Rosenthal prize for interns. The Ehlers internship award account is interest bearing.

Sec. 915. Pursuant to section 61 of the Michigan campaign finance act, 1976 PA 388, MCL 169.261, there is appropriated from the general fund to the state campaign fund an amount equal to the amounts designated for tax year 2019. Except as otherwise provided in this section, the amount appropriated shall not revert to the general fund and shall remain in the state campaign fund. Any amounts remaining in the state campaign fund in excess of $10,000,000.00 on December 31 shall revert to the general fund.

Sec. 916. The department of treasury may make available to interested entities otherwise unavailable customized unclaimed property listings of nonconfidential information in its possession. The charge for this information is as follows: 1 to 100,000 records at 2.5 cents per record and 100,001 or more records at .5 cents per record. The revenue received from this service shall be deposited to the appropriate revenue account or fund. The department of treasury shall submit an annual report on or before June 1 to the state budget director and the senate and house of representatives standing committees on appropriations that states the amount of revenue received from the sale of information.

Sec. 917. (1) There is appropriated for write-offs and advances an amount equal to total write-offs and advances for departmental programs, but not to exceed current year authorizations that would otherwise lapse to the general fund.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies not later than November 30 stating the amounts appropriated for write-offs and advances under subsection (1) and an explanation for each write-off or advance that occurred.

Sec. 919. (1) From funds appropriated in part 1, the department of treasury may contract with private auditing firms to audit for and collect unclaimed property due this state in accordance with the uniform unclaimed property act, 1995 PA 29, MCL 567.221 to 567.265. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund auditing and collection costs and fees not to exceed 12% of the collections, or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of unclaimed property due this state is from the fund or account to which the revenues being collected are recorded or dedicated.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director, the senate and house of representatives standing committees on appropriations, and the chairpersons of the relevant appropriations subcommittees not later than November 30 stating the auditing firms employed, the amount of collections for each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

Sec. 920. The department of treasury shall produce a listing of all personal property tax reimbursement payments to be distributed in the current fiscal year by the local community stabilization authority and shall post the list of payments on the department website by June 30.

Sec. 921. From the funds appropriated in part 1, the department shall notify all members of the Michigan legislature on any revenue administrative bulletins, administrative rules involving tax administration or collection, or notices interpreting changes in law. The notification shall be issued the same day it is posted and shall include at least the following:

(a) A summary of the proposed changes from current procedures.

(b) Identification of potential industries that will be affected by the bulletin, notice, or rule.

(c) A discussion of the potential fiscal implications of the bulletin, notice, or rule. This subdivision does not apply to a bulletin, notice, or rule that is a routine update of a tax or interest rate required by statute.

(d) A summary of the reason for the proposed changes.

Sec. 924. (1) In addition to the funds appropriated in part 1, the department of treasury may receive and expend principal residence audit fund revenue for administration of principal residence audits under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies not later than December 31 stating the amount of exemptions denied and the revenue received under the program.

Sec. 926. Unexpended appropriations of the John R. Justice grant program are designated as work project appropriations and shall not lapse at the end of the fiscal year and shall continue to be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide student loan forgiveness to qualified public defenders and prosecutors.

(b) The project will be accomplished by utilizing state employees or contracts with private vendors, or both.

(c) The total estimated cost of the project is $287,700.00.

(d) The tentative completion date is September 30, 2022.

Sec. 927. The department of treasury shall submit annual progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding essential service assessment audits. The report shall include the number of audits, revenue generated, and number of complaints received by the department of treasury related to the audits.

Sec. 928. The department of treasury may provide receipt, check and cash processing, data, collection, investment, fiscal agent, levy and check cost assessment, writ of garnishment, and other user services on a contractual basis for other principal executive departments and state agencies. Funds for the services provided are appropriated and shall be expended for salaries and wages, fees, supplies, and equipment necessary to provide the services. Any unobligated balance of the funds received shall revert to the general fund of this state as of September 30.

Sec. 930. (1) The department of treasury shall provide accounts receivable collections services to other principal executive departments and state agencies under 1927 PA 375, MCL 14.131 to 14.134. The department of treasury shall deduct a fee equal to the cost of collections from all receipts except unrestricted general fund collections. Fees shall be credited to a restricted revenue account and appropriated to the department of treasury to pay for the cost of collections. The department of treasury shall maintain accounting records in sufficient detail to enable the respective accounts to be reimbursed periodically for fees deducted that are determined by the department of treasury to be surplus to the actual cost of collections.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies not later than November 30 stating the principal executive departments and state agencies served, funds collected, and costs of collection under subsection (1).

Sec. 931. (1) The appropriation in part 1 to the department of treasury for treasury fees shall be assessed against all restricted funds that receive common cash earnings or other investment income. Treasury fees include all costs, including administrative overhead, relating to the investment of each restricted fund. The fee assessed against each restricted fund will be based on the size of the restricted fund (the absolute value of the average daily cash balance plus the market value of investments in the prior fiscal year) and the level of effort necessary to maintain the restricted fund as required by each department. The department of treasury shall provide a report to the state budget office, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by November 30 of each year identifying the fees assessed against each restricted fund and the methodology used for assessment.

(2) In addition to the funds appropriated in part 1, the department of treasury may receive and expend investment fees relating to new restricted funding sources that participate in common cash earnings or other investment income during the current fiscal year. When a new restricted fund is created starting on or after October 1, that restricted fund shall be assessed a fee using the same criteria identified in subsection (1).

Sec. 932. Revenue received under the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, may be expended by the board of directors of the Michigan education trust for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 934. (1) The department of treasury may expend revenues received under the hospital finance authority act, 1969 PA 38, MCL 331.31 to 331.84, the shared credit rating act, 1985 PA 227, MCL 141.1051 to 141.1076, the higher education facilities authority act, 1969 PA 295, MCL 390.921 to 390.934, the Michigan public educational facilities authority, Executive Reorganization Order No. 2002-3, MCL 12.192, the Michigan tobacco settlement finance authority act, 2005 PA 226, MCL 129.261 to 129.279, the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, part 505 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.50501 to 324.50522, the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c, and the Michigan finance authority, Executive Reorganization Order No. 2010-2, MCL 12.194, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, grants to the civil service commission and state employees' retirement fund, and other expenses as allowed under those acts.

(2) The department of treasury shall report by January 31 to the senate and house appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director on the amount and purpose of expenditures made under subsection (1) from funds received in addition to those appropriated in part 1. The report shall also include a listing of reimbursement of revenue, if any. The report shall cover the previous fiscal year.

Sec. 935. The funds appropriated in part 1 for dual enrollment payments for an eligible student enrolled in a state-approved nonpublic school shall be distributed as provided under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, and the career and technical preparation act, 2000 PA 258, MCL 388.1901 to 388.1913, in a form and manner as determined by the department of treasury.

Sec. 937. The department of treasury shall submit a report to the state budget director, the senate and house standing committees on appropriations, the chairpersons of the relevant appropriations subcommittees, and the senate and house fiscal agencies not later than March 31 regarding the performance of the Michigan accounts receivable collections system. The report shall include, but is not limited to:

(a) Information regarding the effectiveness of the department's current collection strategies, including use of vendors or contractors.

(b) The amount of delinquent accounts and collection referrals to vendors and contractors.

(c) The liquidation rates for declining delinquent accounts.

(d) The profile of uncollected delinquent accounts, including specific uncollected amounts by category.

(e) The department of treasury's strategy to manage delinquent accounts once those accounts exceed the vendor's or contractor's contracted collectible period.

(f) A summary of the strategies used in other states, including, but not limited to, secondary placement services, and assessing the benefits of those strategies.

Sec. 941. (1) The department of treasury, in conjunction with the Michigan strategic fund, shall report to the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by November 1 on the annual cost of the Michigan economic growth authority tax credits. The report shall include for each year the board-approved credit amount, adjusted for credit amendments where applicable, and the actual and projected value of tax credits for each year from 1995 to the expiration of the credit program. For years for which credit claims are complete, the report shall include the total of actual certificated credit amounts. For years for which claims are still pending or not yet submitted, the report shall include a combination of actual credits where available and projected credits. Credit projections shall be based on updated estimates of employees, wages, and benefits for eligible companies.

(2) In addition to the report under subsection (1), the department of treasury, in conjunction with the Michigan strategic fund, shall report to the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by November 1 on the annual cost of all other certificated credits by program, for each year until the credits expire or can no longer be collected. The report shall include estimates on the brownfield redevelopment credit, film credits, MEGA photovoltaic technology credit, MEGA polycrystalline silicon manufacturing credit, MEGA vehicle battery credit, and other certificated credits.

Sec. 944. If the department of treasury hires a pension plan consultant using any of the funds appropriated in part 1, the department shall retain any report provided to the department by that consultant, notify the senate and house of representatives appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director, and shall make that report available upon request to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director. A rationale for retention of a pension plan consultant shall be included in the notification of retention.

Sec. 945. Audits of local unit assessment administration practices, procedures, and records shall be conducted in each assessment jurisdiction a minimum of once every 5 years and in accordance with section 10g of the general property tax act, 1893 PA 206, MCL 211.10g.

Sec. 946. Revenue collected in the convention facility development fund is appropriated and shall be distributed under sections 8, 9, and 10 of the state convention facility development act, 1985 PA 106, MCL 207.628, 207.629, and 207.630.

Sec. 947. Financial independence teams shall cooperate with the financial responsibility section to coordinate and streamline efforts in identifying and addressing fiscal emergencies in school districts and intermediate school districts.

Sec. 948. Total authorized appropriations from all department of treasury sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are $46,453,600.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $22,289,000.00. Total agency appropriations for retiree health care legacy costs are estimated at $24,164,600.00.

Sec. 949. (1) From the funds appropriated in part 1, the department of treasury may contract with private agencies to prevent the disbursement of fraudulent tax refunds. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to pay contract costs or fund

operations designed to reduce fraudulent income tax refund payments not to exceed $1,500,000.00 of the refunds identified as potentially fraudulent and for which payment of the refund is denied. The appropriation to fund fraud prevention efforts is from the fund or account to which the revenues being collected are recorded or dedicated.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director, the senate and house of representatives standing committees on appropriations, and the chairpersons of the relevant appropriations subcommittees not later than November 30 stating the number of refund claims denied due to the fraud prevention operations, the amount of refunds denied, the costs of the fraud prevention operations, and other pertinent information relating to determining whether this authority should be continued.

Sec. 949a. From the funds appropriated in part 1 for additional staff in city income tax administration, the department may expand individual income tax return administration to 1 additional city to leverage the department's capabilities to assist cities with their taxation efforts.

Sec. 949d. (1) From the funds appropriated in part 1 for financial review commission, the department of treasury shall continue financial review commission efforts in the current fiscal year. The purpose of the funding is to cover ongoing costs associated with the operation of the commission.

(2) The department of treasury shall identify specific outcomes and performance measures for this initiative, including, but not limited to, the department of treasury's ability to perform a critical fiscal review to ensure the city of Detroit does not reenter distress following its exit from bankruptcy and to ensure that the community district does not enter distress and maintains a balanced budget.

(3) The department of treasury must submit a report to the house and senate appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office by March 15. The report must describe the specific outcomes and measures required in subsection (1) and provide the results and data related to these outcomes and measures.

Sec. 949e. From the funds appropriated in part 1 for the state essential services assessment program, the department of treasury shall administer the state essential services assessment program. The program will provide the department of treasury the ability to collect the state essential services assessment which is a phased-in replacement of locally collected personal property taxes on eligible manufacturing personal property.

Sec. 949f. Revenue from the tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436, related to counties with a 2000 population of more than 2,000,000 is appropriated and shall be distributed under section 12(4)(d) of the tobacco products tax act, 1993 PA 327, MCL 205.432.

Sec. 949h. Revenue from part 6 of the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27601 to 333.27605, is appropriated and distributed pursuant to part 6 of the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27601 to 333.27605.

Sec. 949j. All funds in the wrongful imprisonment compensation fund created in the wrongful imprisonment compensation act, 2016 PA 343, MCL 691.1751 to 691.1757, are appropriated and available for expenditure. Expenditures are limited to support wrongful imprisonment compensation payments pursuant to section 6 of the wrongful imprisonment compensation act, 2016 PA 343, MCL 691.1756.

Sec. 949k. There is appropriated an amount equal to the tax captured revenues due under approved transformational brownfield plans created in the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.

Sec. 949*l*. Funds appropriated in part 1 for historic preservation shall not be expended unless Senate Bill No. 54 of the 100th Legislature is enacted into law. Funds shall only be used for the implementation of that bill.

Sec. 949m. From the funds appropriated in part 1 for blight removal grants, $800,000.00 shall be awarded to blight removal projects located in redevelopment ready communities certified by the Michigan economic development corporation. Individual grants shall be capped at no more than $200,000.00 and priority shall be given to projects that pose an immediate public safety or health risk.

Sec. 949n. (1) From the funds appropriated in part 1 for school district debt relief support, funding shall be awarded at the discretion of the state treasurer to eligible school districts. Grant funds received under this section must be used by a school district to provide a prepayment of long-term debt payments owed to this state. The maximum award under this section to a school district is $1,000,000.00.

(2) Under this section, an eligible school district means a school district that meets all of the following:

(a) Is in compliance with an enhanced deficit elimination plan that is in place for the 2020-2021 school year.

(b) Has an emergency loan that was issued by the state emergency loan board in 2018 or 2019.

(c) If the school district had established a community engagement advisory committee, is in compliance with the approved academic and financial operating plan.

(d) Is not a school district that levies 18 mills for school operating purposes to satisfy debt obligations.

Sec. 949o. (1) From the funds appropriated in part 1 for disaster relief, $15,000,000.00 shall be awarded to a task force that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, and that is delegated authority for Midland and Gladwin Counties for the four lakes special assessment district under parts 307 and 315 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.30701 to 324.30723 and MCL 324.31501 to 324.31529. This money shall be used for restoration of the four lakes, including an engineering feasibility study or engineering design, any flood or environment studies required, dam construction, site readiness, and construction to restore lake levels.

(2) From the funds appropriated in part 1 for disaster relief, $500,000.00 shall be awarded to a county with a population between 15,000 and 16,000 according to the most recent federal decennial census. In cooperation with the county road commission and local units of governments within the county, the county may use funds to match any available funds and cover the cleanup costs associated with disaster flooding at all levels of government throughout the county, including, but not limited to, the county itself, relevant road commissions, other levels of municipal government, and matching for dam replacement or repair. Cleanup costs include, but are not limited to, debris removal, emergency protective measures such as road blockades, sheltering and evacuation, chemical contamination cleanup efforts, soil erosion, and the repair of roads.

(3) From the funds appropriated in part 1 for disaster relief, $4,000,000.00 shall be awarded toward matching for additional funds for a state of disaster flooding that occurred in 2018 in a county with a population between 36,000 and 37,000 and another county with population between 8,000 and 9,000 according to the most recent federal decennial census. The total dollars shall be used to reimburse costs not covered by other sources. The distribution of $4,000,000.00 includes the following:

(a) $1,950,000.00 to a county road commission in a county with a population between 36,000 and 37,000 according to the most recent federal decennial census.

(b) $600,000.00 to a city with a population between 7,000 and 8,000 located in a county with a population between 36,000 and 37,000 according to the most recent federal decennial census.

(c) $325,000.00 to a city with a population between 4,000 and 5,000 located in a county with a population between 36,000 and 37,000 according to the most recent federal decennial census.

(d) $482,500.00 to a village with a population between 1,000 and 1,500 located in a county with a population between 36,000 and 37,000 according to the most recent federal decennial census.

(e) $642,500.00 to a county road commission in a county with a population between 8,000 and 9,000 according to the most recent federal decennial census.

(4) From the funds appropriated in part 1 for disaster relief, $400,000.00 shall be awarded to a road commission located in a county with a population between 48,000 and 49,000 according to the most recent federal decennial census to cover the costs from widespread flooding that occurred in 2019 that have not been reimbursed from other sources.

(5) From the funds appropriated in part 1 for disaster relief, $105,600.00 shall be awarded to a county with a population between 63,000 and 64,000 according to the most recent federal decennial census to cover the costs from disaster flooding that occurred in 2019 that have not been reimbursed from other sources.

(6) From the funds appropriated in part 1 for disaster relief, $56,000.00 shall be awarded to a city with a population between 3,000 and 4,000 located in a county with a population between 48,000 and 49,000 according to the most recent federal decennial census to cover the costs from disaster flooding that occurred in 2019 that have not been reimbursed from other sources.

(7) From the funds appropriated in part 1 for disaster relief, $2,400.00 shall be awarded to a city with a population between 5,000 and 6,000 located in a county with a population between 48,000 and 49,000 according to the most recent federal decennial census to cover the costs from disaster flooding that occurred in 2019 that have not been reimbursed from other sources.

(8) From the funds appropriated in part 1 for disaster relief, $3,000,000.00 shall be awarded to a downriver community conference located in a county with a population over 1,500,000 according to the most recent federal decennial census to cover the costs of property damage from a state of emergency flooding that occurred in 2019 that have not been reimbursed from other sources.

Sec. 949p. (1) From the funds appropriated in part 1 for teacher COVID-19 grants, there is allocated for 2020-2021 only an amount not to exceed $53,000,000.00 for grants to eligible K-12 classroom teachers to recognize the additional time spent outside of normal working hours and additional costs teachers have incurred or experienced to provide a continuity of learning during the period of school closure in 2019-2020 as a result of the COVID-19 pandemic.

(2) The department shall distribute funding allocated under
this section directly to eligible classroom teachers in an equal amount up to $500.00 per FTE K-12 classroom teacher employed by the district or nonprofit nonpublic school or assigned to regularly and continuously work under contract in a public school operated by the district or in a nonprofit nonpublic school. An eligible classroom teacher that works full time and is calculated as 1.0 FTE will receive $500.00 and an eligible classroom teacher whose work time is calculated as less than 1.0 FTE shall receive that portion of the FTE applied to $500.00. The department must distribute funding allocated under this subsection as soon as is feasible.

(3) A classroom teacher eligible for funding under this section must meet all of the following:

(a) Prior to the issuance of executive order 2020-35, the teacher performed at least 75% of their standard instructional workload in a brick and mortar classroom at a district or nonprofit nonpublic school.

(b) After issuance of executive order 2020-35, the teacher developed tools and methods to deliver distance learning, take-home packets, or other methods described in the district or nonprofit nonpublic school's continuity of learning plan.

(c) The teacher certifies to the district, in a manner prescribed by the department, that he or she worked additional time spent outside of normal working hours, experienced hazardous conditions, or incurred additional costs related to ensuring students could effectively participate in their school's continuity of learning plan.

(4) Districts and nonprofit nonpublic schools shall provide to the department of treasury a list of eligible classroom teachers including their residency address on file.

(5) Districts and nonprofit nonpublic schools shall maintain documentation of classroom teacher eligibility under subsection (3).

(6) If funds allocated under this section are insufficient to award the amount in subsection (2) to each of the eligible classroom teachers, the department shall reduce the grant on an equal per full-time and part-time prorated equated classroom teacher basis.

(7) The department may retain up to 1/2 of 1% of the total funding under this section for administration of this section.

(8) As used in this section:

(a) "Classroom teacher" means a full-time or part-time teacher with an assigned class who provided continuity of learning to students during the 2019-2020 period of school closure that resulted from COVID-19. For the purposes of this section, classroom teacher does not include substitute teachers, paraprofessionals, support staff, or administrators.

(b) "District" means a local school district as that term is defined in section 6 of the revised school code, 1976 PA 451, MCL 380.6, or a public school academy as that term is defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

(c) "Regularly and continuously work under contract" means
that term as defined in section 1230e of the revised school code, 1976 PA 451, MCL 380.1230e.

Sec. 949q. (1) From the funds appropriated in part 1 for school support staff COVID-19 grants, there is allocated for 2020-2021 only an amount not to exceed $20,000,000.00 for grants to eligible K-12 school support staff to recognize the additional time spent outside of normal working hours, hazardous conditions, and additional costs school support staff have incurred or experienced to provide services to students during the period of school closure in 2019-2020 as a result of the COVID-19 pandemic.

(2) The department shall distribute funding allocated under
this section directly to eligible school support staff in an equal amount up to $250.00 per FTE school support staff employed by the district or assigned to regularly and continuously work under contract in a public school operated by the district. An eligible school support staff that works full time and is calculated as 1.0 FTE will receive $250.00 and an eligible school support staff whose work time is calculated as less than 1.0 FTE shall receive that portion of the FTE applied to $250.00. The department must distribute funding allocated under this subsection as soon as is feasible.

(3) A school support staff eligible for funding under this section must meet both of the following:

(a) Prior to the issuance of Executive Order No. 2020-35, the school support staff performed at least 75% of their workload in a brick and mortar school building at a district.

(b) The school support staff certifies to the district, in a manner prescribed by the department, that he or she worked additional time spent outside of normal working hours, experienced hazardous conditions, or incurred additional costs related to providing student services during the COVID-19 pandemic.

(4) Districts shall provide to the department of treasury a list of eligible school support staff including their residency address on file.

(5) Districts shall maintain documentation of staff eligibility under subsection (3).

(6) If funds allocated under this section are insufficient to award the amount in subsection (2) to each of the eligible school support staff, the department shall reduce the grant on an equal per full-time and part-time prorated equated school support staff basis.

(7) The department may retain up to 1/2 of 1% of the total funding under this section for administration of this section.

(8) As used in this section:

(a) "District" means a local school district as that term is defined in section 6 of the revised school code, 1976 PA 451, MCL 380.6, or a public school academy as that term is defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

(b) "Regularly and continuously work under contract" means that term as defined in section 1230e of the revised school code, 1976 PA 451, MCL 380.1230e.

(c) "School support staff" means a full-time or part-time paraprofessional, aide, or noninstructional staff, according to the registry of educational personnel, who provided services to students during the 2019-2020 period of school closure that resulted from COVID-19. For the purposes of this section, school support staff does not include substitute teachers or classroom teachers.

REVENUE SHARING

Sec. 950. The funds appropriated in part 1 for constitutional revenue sharing shall be distributed by the department of treasury to cities, villages, and townships, as required under section 10 of article IX of the state constitution of 1963. Revenue collected in accordance with section 10 of article IX of the state constitution of 1963 in excess of the amount appropriated in part 1 for constitutional revenue sharing is appropriated for distribution to cities, villages, and townships, on a population basis as required under section 10 of article IX of the state constitution of 1963.

Sec. 952. (1) The funds appropriated in part 1 for city, village, and township revenue sharing are for grants to cities, villages, and townships such that, subject to fulfilling the requirements under subsection (3), each city, village, or township that received a payment under section 952(1) of 2019 PA 56 is eligible to receive a payment equal to 100.0% of its total eligible payment under section 952(1) of 2019 PA 56, rounded to the nearest dollar. For purposes of this subsection, any city, village, or township that completely merges with another city, village, or township will be treated as a single entity, such that when determining the eligible payment under section 952(1) of 2019 PA 56 for the combined single entity, the amount each of the merging local units was eligible to receive under section 952(1) of 2019 PA 56 is summed.

(2) The funds appropriated in part 1 for the county incentive program are to be used for grants to counties such that each county is eligible to receive an amount equal to 20% of the amount determined pursuant to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921. The amount calculated under this subsection shall be adjusted as necessary to reflect partial county fiscal years and prorated based on the total amount appropriated for distribution to all eligible counties. Except as otherwise provided under this subsection, payments under this subsection will be distributed to an eligible county subject to the county's fulfilling the requirements under subsection (3).

(3) For purposes of accountability and transparency, each eligible city, village, township, or county shall certify by December 1, or the first day of a payment month, that it has produced a citizen's guide of its most recent local finances, including a recognition of its unfunded liabilities; a performance dashboard; a debt service report containing a detailed listing of its debt service requirements, including, at a minimum, the issuance date, issuance amount, type of debt instrument, a listing of all revenues pledged to finance debt service by debt instrument, and a listing of the annual payment amounts until maturity; and a projected budget report, including, at a minimum, the current fiscal year and a projection for the immediately following fiscal year. The projected budget report shall include revenues and expenditures and an explanation of the assumptions used for the projections. Each eligible city, village, township, or county shall include in any mailing of general information to its citizens the internet website address location for its citizen's guide, performance dashboard, debt service report, and projected budget report or the physical location where these documents are available for public viewing in the city, village, township, or county clerk's office. Each city, village, township, and county applying for a payment under this subsection shall submit a copy of the performance dashboard, a copy of the debt service report, and a copy of the projected budget report to the department of treasury. In addition, each eligible city, village, township, or county applying for a payment under this subsection shall either submit a copy of the citizen's guide or certify that the city, village, township, or county will be utilizing treasury's online citizen's guide. The department of treasury shall develop detailed guidance for a city, village, township, or county to follow to meet the requirements of this subsection. The detailed guidance shall be posted on the department of treasury website and distributed to cities, villages, townships, and counties by October 1.

(4) City, village, and township revenue sharing payments and county incentive program payments are subject to the following conditions:

(a) The city, village, township, or county shall certify to the department that it has met the required criteria for subsection (3) and submitted the required citizen's guide, performance dashboard, debt service report, and projected budget report as required by subsection (3). A department of treasury review of the citizen's guide, dashboard, or reports is not required in order for a city, village, township, or county to receive a payment under subsection (1) or (2). The department shall develop a certification process and method for cities, villages, townships, and counties to follow.

(b) Subject to subdivisions (c), (d), and (e), if a city, village, township, or county meets the requirements of subsection (3), the city, village, township, or county shall receive its full potential payment under this section.

(c) Cities, villages, and townships eligible to receive a payment under subsection (1) shall receive 1/6 of their eligible payment on the last business day of October, December, February, April, June, and August. Payments under subsection (1) shall be issued to cities, villages, and townships until the specified due date for subsection (3). After the specified due date for subsection (3), payments shall be made to a city, village, or township only if that city, village, or township has complied with subdivision (a).

(d) Payments under subsection (2) shall be issued to counties until the specified due date for subsection (3). After the specified due date for subsection (3), payments shall be made to a county only if that county has complied with subdivision (a).

(e) If a city, village, township, or county does not submit the required certification, citizen's guide, performance dashboard, debt service report, and projected budget report by the first day of a payment month, the city, village, township, or county shall forfeit the payment in that payment month.

(f) Any city, village, township, or county that falsifies certification documents shall forfeit any future city, village, and township revenue sharing payments or county incentive program payments and shall repay to this state all payments it has received under this section.

(g) City, village, and township revenue sharing payments and county incentive program payments under this section shall be distributed on the last business day of October, December, February, April, June, and August.

(h) Payments distributed under this section may be withheld pursuant to sections 17a and 21 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.917a and 141.921.

(5) The unexpended funds appropriated in part 1 for city, village, and township revenue sharing and the county incentive program shall be available for expenditure under the program for financially distressed cities, villages, or townships after the approval of transfers by the legislature pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(6) Any city, village, or township eligible to receive a payment under subsection (1) and determined to have a retirement pension benefit system in underfunded status under section 5 of the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2805, must allocate an amount equal to its current year eligible payment under subsection (1) less the sum of its eligible payment for city, village, and township revenue sharing in 2019 PA 56 to its pension unfunded liability. A city, village, or township that has issued a municipal security under section 518 of the revised municipal finance act, 2001 PA 34, MCL 141.2518, is exempt from this requirement.

Sec. 955. (1) The funds appropriated in part 1 for county revenue sharing shall be distributed by the department of treasury so that each eligible county receives a payment equal to 104.5619% of the amount determined pursuant to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921, less the amount for which the county is eligible under section 952(2) of this part. The amount calculated under this subsection shall be adjusted as necessary to reflect partial county fiscal years and prorated based on the total amount appropriated for distribution to all eligible counties.

(2) The department of treasury shall annually certify to the state budget director the amount each county is authorized to expend from its revenue sharing reserve fund.

(3) Any county eligible to receive a payment under subsection (1) and determined to have a retirement pension benefit system in underfunded status under section 5 of the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2805, must allocate an amount equal to the sum of its current year eligible payment for county revenue sharing and the county incentive program less the sum of its 2019 PA 56 eligible payment for county revenue sharing and the county incentive program to its pension unfunded liability. A county that has issued a municipal security under section 518 of the revised municipal finance act, 2001 PA 34, MCL 141.2518, is exempt from this requirement.

Sec. 956. (1) The funds appropriated in part 1 for financially distressed cities, villages, or townships shall be granted by the department of treasury to cities, villages, and townships that have 1 or more conditions

that indicate probable financial distress, as determined by the department of treasury. A city, village, or township with 1 or more conditions that indicate probable financial distress may apply in a manner determined by the department of treasury for a grant to pay for specific projects or services that move the city, village, or township toward financial stability. Grants are to be used for specific projects or services that move the city, village, or township toward financial stability. The city, village, or township must use the grants under this section to make payments to reduce unfunded accrued liability; to repair or replace critical infrastructure and equipment owned or maintained by the city, village, or township; to reduce debt obligations; or for costs associated with a transition to shared services with another jurisdiction; or to administer other projects that move the city, village, or township toward financial stability. The department of treasury shall award no more than $2,000,000.00 to any city, village, or township under this section.

(2) The department of treasury shall provide a report to the senate and house of representatives appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office by March 31. The report shall include a list by grant recipient of the date each grant was approved, the amount of the grant, and a description of the project or projects that will be paid by the grant.

(3) The unexpended funds appropriated in part 1 for financially distressed cities, villages, or townships are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide assistance to financially distressed cities, villages, and townships under this section.

(b) The projects will be accomplished by grants to cities, villages, and townships approved by the department of treasury.

(c) The total estimated cost of all projects is $2,500,000.00.

(d) The tentative completion date is September 30, 2025.

BUREAU OF STATE LOTTERY

Sec. 960. In addition to the funds appropriated in part 1 to the bureau of state lottery, there is appropriated from state lottery fund revenues the amount necessary for, and directly related to, implementing and operating lottery games under the McCauley-Traxler-Law-Bowman-McNeely lottery act, 1972 PA 239, MCL 432.1 to 432.47, and activities under the Traxler-McCauley-Law-Bowman bingo act, 1972 PA 382, MCL 432.101 to 432.120, including expenditures for contractually mandated payments for vendor commissions, contractually mandated payments for instant tickets intended for resale, the contractual costs of providing and maintaining the online system communications network, and incentive and bonus payments to lottery retailers.

Sec. 964. For the bureau of state lottery, there is appropriated 1% of the lottery's prior fiscal year's gross sales for promotion and advertising.

CASINO GAMING

Sec. 971. (1) From the revenue collected by the Michigan gaming control board regarding the total annual assessment of each casino licensee, $2,000,000.00 is appropriated and shall be deposited in the compulsive gaming prevention fund as described in section 12a(5) of the Michigan Gaming Control and Revenue Act, 1996 IL 1, MCL 432.212a.

(2) After the board has incurred the costs of regulating and enforcing internet sports betting, $500,000.00 is appropriated and shall be deposited into the compulsive gaming prevention fund as described in section 16(4)(b) of the lawful sports betting act, 2019 PA 149, MCL 432.416. Following these disbursements, $2,000,000.00 is appropriated and shall be deposited in the first responder presumed coverage fund as described in section 16(4)(c) of the lawful sports betting act, 2019 PA 149, MCL 432.416.

(3) An appropriation of $500,000.00 shall be deposited into the compulsive gaming prevention fund as described in section 16(4)(b) of the lawful internet gaming act, 2019 PA 152, MCL 432.316, except as provided in section 15(2) of the lawful internet gaming act, 2019 PA 152, MCL 432.315, and after the board has incurred the costs of regulating and enforcing internet gaming under the act, 2019 PA 152, MCL 432.301 to 432.322. Following these disbursements, $2,000,000.00 is appropriated and shall be deposited into the first responder presumed coverage fund as described in section 16(4)(c) of the lawful internet gaming act, 2019 PA 152, MCL 432.316.

Sec. 973. (1) Funds appropriated in part 1 for local government programs may be used to provide assistance to a local revenue sharing board referenced in an agreement authorized by the Indian gaming regulatory act, Public Law 100-497.

(2) A local revenue sharing board described in subsection (1) shall comply with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(3) A county treasurer is authorized to receive and administer funds received for and on behalf of a local revenue sharing board. Funds appropriated in part 1 for local government programs may be used to audit local revenue sharing board funds held by a county treasurer. This section does not limit the ability of local units of government to enter into agreements with federally recognized Indian tribes to provide financial assistance to local units of government or to jointly provide public services.

(4) A local revenue sharing board described in subsection (1) shall comply with all applicable provisions of any agreement authorized by the Indian gaming regulatory act, Public Law 100-497, in which the local revenue sharing board is referenced, including, but not limited to, the disbursal of tribal casino payments received under applicable provisions of the tribal-state class III gaming compact in which those funds are received.

(5) The director of the department of state police and the executive director of the Michigan gaming control board are authorized to assist the local revenue sharing boards in determining allocations to be made to local public safety organizations.

(6) The Michigan gaming control board shall submit a report by September 30 to the senate and house of representatives standing committees on appropriations and the state budget director on the receipts and distribution of revenues by local revenue sharing boards.

Sec. 974. If revenues collected in the state services fee fund are less than the amounts appropriated from the fund, available revenues shall be used to fully fund the appropriation in part 1 for casino gaming regulation activities before distributions are made to other state departments and agencies. If the remaining revenue in the fund is insufficient to fully fund appropriations to other state departments or agencies, the shortfall shall be distributed proportionally among those departments and agencies.

Sec. 976. The executive director of the Michigan gaming control board may pay rewards of not more than $5,000.00 to a person who provides information that results in the arrest and conviction on a felony or misdemeanor charge for a crime that involves the horse racing industry. A reward paid pursuant to this section shall be paid out of the appropriation in part 1 for the racing commission.

Sec. 977. All appropriations from the Michigan agriculture equine industry development fund, except for the racing commission appropriations, shall be reduced proportionately if revenues to the Michigan agriculture equine industry development fund decline during the current fiscal year to a level lower than the amount appropriated in part 1.

Sec. 978. The Michigan gaming control board shall use actual expenditure data in determining the actual regulatory costs of conducting racing dates and shall provide that data to the senate and house appropriations subcommittees on agriculture and general government, the state budget office, and the senate and house fiscal agencies. The Michigan gaming control board shall not be reimbursed for more than the actual regulatory cost of conducting race dates. If a certified horsemen's organization funds more than the actual regulatory cost, the balance shall remain in the agriculture equine industry development fund to be used to fund subsequent race dates conducted by race meeting licensees with which the certified horsemen's organization has contracts. If a certified horsemen's organization funds less than the actual regulatory costs of the additional horse racing dates, the Michigan gaming control board shall reduce the number of future race dates conducted by race meeting licensees with which the certified horsemen's organization has contracts. Prior to the reduction in the number of authorized race dates due to budget deficits, the executive director of the Michigan gaming control board shall provide notice to the certified horsemen's organizations with an opportunity to respond with alternatives. In determining actual costs, the Michigan gaming control board shall take into account that each specific breed may require different regulatory mechanisms.

Sec. 979. From the funds appropriated in part 1 for millionaire party regulation, the Michigan gaming control board may receive and expend state lottery fund revenue in an amount not to exceed the amount appropriated in part 1 for necessary expenses incurred in the licensing and regulation of millionaire parties pursuant to Executive Order No. 2012-4. In accordance with section 8 of the Traxler-McCauley-Law-Bowman bingo act, 1972 PA 382, MCL 432.108, the amount of necessary expenses shall not exceed the amount of revenue received under that act. The Michigan gaming control board shall provide a report to the senate and house of representatives appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office by March 1. The report shall include, but not be limited to, total expenditures related to the licensing and regulating of millionaire parties, steps taken to ensure charities are receiving revenue due to them, progress on promulgating rules to ensure compliance with the Traxler-McCauley-Law-Bowman bingo act, 1972 PA 382, MCL 432.101 to 432.120, and any enforcement actions taken.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

Sec. 980. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $15,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have

been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 981. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are $58,923,000.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $28,272,000.00. Total agency appropriations for retiree health care legacy costs are estimated at $30,651,000.00.

Sec. 982. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 and that do not require additional state matching funds are appropriated for the purposes intended. The department may carry forward into the succeeding fiscal year unexpended federal pass-through funds to local institutions and governments that do not require additional state matching funds. The department shall report the amount and source of the funds to the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director within 10 business days after receiving any additional pass-through funds.

Sec. 983. From the funds appropriated in part 1, Michigan department of labor and economic opportunity, Michigan strategic fund, and Michigan state housing development authority shall not use funds for broadband construction, expansion, repairs, or upgrades or to issue or refinance bonds for broadband construction, expansion, repairs, or upgrades.

Sec. 984. As a condition of receiving funds in part 1, the department of labor and economic opportunity shall utilize SIGMA as an appropriation and expenditure reporting system to track all financial transactions with individual vendors, contractual partners, grantees, recipients of business incentives, and recipients of other economic assistance. Encumbrances and expenditures shall be reported in a timely manner.

Sec. 985. (1) Grants supported with private revenues received by the department are appropriated upon receipt and are available for expenditure by the department, subject to subsection (3), for purposes specified within the grant agreement and as permitted under state and federal law.

(2) Within 10 days after the receipt of a private grant appropriated in subsection (1), the department shall notify the house and senate chairpersons of the subcommittees, the senate and house fiscal agencies, and the state budget director of the receipt of the grant, including the fund source, purpose, and amount of the grant.

(3) The amount appropriated under subsection (1) shall not exceed $1,500,000.00.

Sec. 986. (1) The department may charge registration fees to attendees of informational, training, or special events sponsored by the department, and related to activities that are under the department's purview.

(2) These fees shall reflect the costs for the department to sponsor the informational, training, or special events.

(3) Revenue generated by the registration fees is appropriated upon receipt and available for expenditure to cover the department's costs of sponsoring informational, training, or special events.

(4) Revenue generated by registration fees in excess of the department's costs of sponsoring informational, training, or special events shall carry forward to the subsequent fiscal year and not lapse to the general fund.

(5) The amount appropriated under subsection (3) shall not exceed $500,000.00.

Sec. 987. (1) The department may sell documents at a price not to exceed the cost of production and distribution. Money received from the sale of these documents shall revert to the department. In addition to the funds appropriated in part 1, these funds are available for expenditure when they are received by the department of treasury. This subsection applies only to R 418.10101 to R 418.101504 of the Michigan Administrative Code.

(2) Unexpended funds at the end of the fiscal year shall carry forward to the subsequent fiscal year and not lapse to the general fund.

Sec. 988. If the revenue collected by the department for radiological health administration and projects from fees and collections exceeds the amount appropriated in part 1, the revenue may be carried forward

into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

Sec. 989. It is the intent of the legislature that the workers' compensation agency through the department of labor and economic opportunity annually update R 418.10101 to R 418.101504 of the Michigan Administrative Code, as required under sections 205 and 315 of the worker's disability compensation act, 1969 PA 317, MCL 418.205 and 418.315, and section 33 of the administrative procedures act, 1969 PA 306, MCL 24.233.

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

Sec. 990. MSHDA shall annually present a report to the state budget office and the subcommittees on the status of the authority's housing production goals under all financing programs established or administered by the authority. The report shall give special attention to efforts to raise affordable multifamily housing production goals.

STATE LAND BANK AUTHORITY

Sec. 995. In addition to the amounts appropriated in part 1, the state land bank authority may expend revenues received under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes authorized by the act, including, but not limited to, the acquisition, lease, management, demolition, maintenance, or rehabilitation of real or personal property, payment of debt service for notes or bonds issued by the authority, and other expenses to clear or quiet title property held by the authority.

MICHIGAN STRATEGIC FUND

Sec. 1004. As a condition of receiving funds appropriated in part 1, the MSF shall provide all information required to be transmitted in the activities report required under section 9 of the Michigan strategic fund act, 1984 PA 270, MCL 125.2009, to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by March 15.

Sec. 1005. In addition to the appropriations in part 1, Travel Michigan may receive and expend private revenue related to the use of "Pure Michigan" and all other copyrighted slogans and images. This revenue may come from the direct licensing of the name and image or from the royalty payments from various merchandise sales. Revenue collected is appropriated for the marketing of the state as a travel destination. The funds are available for expenditure when they are received by the department of treasury. If the fund receives revenues from the use of "Pure Michigan", the fund shall provide a report that lists the revenues by source received from the use of "Pure Michigan" and all other copyrighted slogans and images. The report shall provide a detailed list of expenditures of revenues received under this section. The report shall be provided to the chairpersons of the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the house and senate fiscal agencies, and the state budget director by March 1.

Sec. 1005a. (1) From the funds appropriated in part 1 for Pure Michigan, general fund dollars shall be appropriated for the following purposes:

(a) Conduction of market research regionally, nationally, and internationally for use in market campaigns.

(b) Production of advertisements for the promotion of Michigan as a place to live, work, and play.

(c) Placement of advertisements in regional, national, and international market campaigns.

(d) Administration of the program.

(e) Other activities that promote Michigan as a place to live, work, and play.

(2) The fund may contract any of the activities under subsection (1).

(3) The fund may work in cooperation with local units of government, nonprofit entities, and private entities on Pure Michigan promotion campaigns. The fund shall include agreements prior to undertaking cooperative marketing campaigns.

Sec. 1005b. (1) A local promotion fund is created in the department of labor and economic opportunity. The fund may receive funds from local units of government and nonprofit entities and deposit these funds into the local promotion fund. Funds received are available for expenditure for use in Pure Michigan promotion campaigns. As used in this subsection, the term "local unit of government" includes cities, villages, townships, counties, and regional councils of government. The fund may maintain individual accounts for local units of government and nonprofit entities that deposit funds into the local promotion fund upon request from a local unit.

(2) Local promotion funds appropriated in part 1 may be used for media production and placements, national and international marketing campaigns, and for other activities that promote Michigan as a place to live, work, and play.

(3) Any unexpended or unencumbered balance shall be disposed of in accordance with the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, unless carryforward authorization has been otherwise provided for.

Sec. 1005c. (1) A private promotion fund is created in the department of labor and economic opportunity. The fund may receive funds from private entities and deposit these funds into the private promotion fund. Funds received are available for expenditure for use in Pure Michigan promotion campaigns. The fund may maintain individual accounts for private entities that deposit funds into the private promotion fund upon request from a private entity.

(2) Private promotion funds appropriated in part 1 may be used for media production and placements, national and international marketing campaigns, and for other activities that promote Michigan as a place to live, work, and play.

(3) Any unexpended or unencumbered balance shall be disposed of in accordance with the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, unless carryforward authorization has been otherwise provided for.

Sec. 1006. (1) As a condition of receiving funds appropriated in part 1, the fund shall provide a report of all approved amendments to projects for the immediately preceding year under sections 88r and 90b of the Michigan strategic fund act, 1984 PA 270, MCL 125.2088r and 125.2090b. The report shall provide a description of each amendment, by award, which shall include, but is not limited to, the following:

(a) The amended award amount relative to the prior award amount.

(b) The amended number of committed jobs relative to the prior number of committed jobs.

(c) The amended amount of qualified investment committed relative to the prior amount of qualified investment committed.

(d) A description of any change in scope of the project.

(e) A description of any change in project benchmarks, deadlines, or completion dates.

(f) The reason or justification for the amendment approval.

(2) In addition to being posted online, the report shall be distributed to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget office by March 15.

Sec. 1007. (1) As a condition of receiving funds appropriated in part 1, the fund shall request the following information from the MEDC:

(a) Approved budget from the MEDC executive committee for the current fiscal year and actual budget expenditures for the preceding fiscal years.

(b) Expenditures and revenues as part of the current and preceding year budgets, including the available fund balance for the current and preceding fiscal years.

(c) The total number of FTEs, by state and corporate status.

(d) A reporting of activities, programs, and grants consistent with the preceding fiscal year budget.

(2) Information received by the MSF pursuant to this section shall be posted online and distributed to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by March 15.

Sec. 1008. As a condition of receiving funds under part 1, any interlocal agreement entered into by the fund shall include language which states that if a local unit of government has a contract or memorandum of understanding with a private economic development agency, the MEDC will work cooperatively with that private organization in that local area.

Sec. 1009. (1) Of the funds appropriated to the fund or through grants to the MEDC, no funds shall be expended for the purchase of options on land or the purchase of land unless at least 1 of the following conditions applies:

(a) The land is located in an economically distressed area.

(b) The land is obtained through a purchase or exercise of an option at the invitation of the local unit of government and local economic development agency.

(2) Consideration may be given to purchases where the proposed use of the land is consistent with a regional land use plan, will result in the redevelopment of an economically distressed area, can be supported by existing infrastructure, and will not cause shifts in population away from the area's population centers.

(3) As used in this section, "economically distressed area" means an area in a city, village, or township that has been designated as blighted; a city, village, or township that shows negative population change from 1970 and a poverty rate and unemployment rate greater than the statewide average; or an area certified as a neighborhood enterprise zone under the neighborhood enterprise zone act, 1992 PA 147, MCL 207.771 to 207.786.

(4) If land or options on land are purchased under subsection (1), the fund shall provide a report to the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director that provides a list of all properties purchased, all options on land purchased, the location of the land purchased, and the purchase price if the fund purchases options on land or land. The report must be submitted before March 15.

Sec. 1010. As a condition for receiving funds in part 1, not later than March 15, the fund shall provide a report for the immediately preceding fiscal year on the jobs for Michigan investment fund, created in section 88h of the Michigan strategic fund act, 1984 PA 270, MCL 125.2088h. The report shall be submitted to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director. The report shall include, but is not limited to, all of the following:

(a) A detailed listing of revenues, by fund source, to the jobs for Michigan investment fund. The listing shall include the manner and reason for which the funds were appropriated to the jobs for Michigan investment fund.

(b) A detailed listing of expenditures, by project, from the jobs for Michigan investment fund.

(c) A fiscal year-end balance of the jobs for Michigan investment fund.

Sec. 1011. (1) From the appropriations in part 1 to the fund and granted or transferred to the MEDC, any unexpended or unencumbered balance shall be disposed of in accordance with the requirements in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, unless carryforward authorization has been otherwise provided for.

(2) Any encumbered funds, including encumbered funds subsequently unobligated, shall be used for the same purposes for which funding was originally appropriated in this part and part 1.

(3) For funds appropriated in part 1 to the fund, any carryforward authorization subsequently created through a work project shall be preserved until a cash or accrued expenditure has been executed or the allowable work project time period has expired.

Sec. 1012. (1) As a condition of receiving funds under part 1, the fund shall ensure that the MEDC and the fund comply with all of the following:

(a) The freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(b) The open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(c) Annual audits of all financial records by the auditor general or his or her designee.

(d) All reports required by law to be submitted to the legislature.

(2) If the MEDC is unable for any reason to perform duties under this part, the fund may exercise those duties.

Sec. 1013. As a condition for receiving the appropriations in part 1, any staff of the MEDC involved in private fund-raising activities shall not be party to any decisions regarding the awarding of grants, incentives, or tax abatements from the fund, the MEDC, or the Michigan economic growth authority.

Sec. 1024. From the funds appropriated in part 1 for business attraction and community revitalization, not less than 20% shall be granted by the fund board for brownfield redevelopment and historic preservation projects under the community revitalization program authorized by chapter 8C of the Michigan strategic fund act, 1984 PA 270, MCL 125.2090 to 125.2090d.

Sec. 1032. (1) The fund shall report to the chairpersons of the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the state budget director, and the senate and house fiscal agencies on the status of the film incentives at the same time as it submits the annual report required under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455. The department of treasury shall provide the fund with the data necessary to prepare the report. Incentives included in the report shall include all of the following:

(a) The tax credit provided under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455.

(b) The tax credit provided under section 457 of the Michigan business tax act, 2007 PA 36, MCL 208.1457.

(c) The tax credit provided under section 459 of the Michigan business tax act, 2007 PA 36, MCL 208.1459.

(d) The amount of any tax credit claimed under former section 367 of the income tax act of 1967, 1967 PA 281.

(e) Any tax credits provided for film and digital media production under the Michigan economic growth authority act, 1995 PA 24, MCL 207.801 to 207.810.

(f) Loans to an eligible production company or film and digital media private equity fund authorized under section 88d(3), (4), and (5) of the Michigan strategic fund act, 1984 PA 270, MCL 125.2088d.

(2) The report shall include all of the following information:

(a) For each tax credit, the number of contracts signed, the projected expenditures qualifying for the credit, and the estimated value of the credits. For loans, the number of loans made under each section, the interest rate of those loans, the loan amount, the percent of the projected budget of each production financed by those loans, and the estimated interest earnings from the loan.

(b) For credits authorized under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455, for productions completed by December 31, the expenditures of each production eligible for the credit that has filed a request for certificate of completion with the film office, broken down into expenditures for goods, services, or salaries and wages and showing separately expenditures in each local unit of government, including expenditures for personnel, whether or not they were made to a Michigan entity, and whether or not they were taxable under the laws of this state. For loans, the report shall include the number of loans that have been fully repaid, with principal and interest shown separately, and the number of loans that are delinquent or in default, and the amount of principal that is delinquent or is in default.

(c) For each of the tax credit incentives and loan incentives listed in subsection (1), a breakdown for each project or production showing each of the following:

(*i*) The number of temporary jobs created.

(*ii*) The number of permanent jobs created.

(*iii*) The number of persons employed in Michigan as a result of the incentive, on a full-time equated basis.

(3) For any information not included in the report due to the provisions of section 455(6), 457(6), or 459(6) of the Michigan business tax act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459, the report shall do all of the following:

(a) Indicate how the information would describe the commercial and financial operations or intellectual property of the company.

(b) Attest that the information has not been publicly disseminated at any time.

(c) Describe how disclosure of the information may put the company at a competitive disadvantage.

(4) Any information not disclosed due to the provisions of section 455(6), 457(6), or 459(6) of the Michigan business tax act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459, shall be presented at the lowest level of aggregation that would no longer describe the commercial and financial operations or intellectual property of the company.

Sec. 1033. As a condition of receiving funds in part 1, not later than March 15, the fund shall provide a report on the activities of the Michigan film and digital media office for the immediately preceding fiscal year. The report shall be submitted to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget office. The report shall include, but not be limited to, a listing of all projects the Michigan film and digital media office provided assistance on, a listing of the services provided for each project, and an estimate of investment leveraged.

Sec. 1034. Each business incubator or accelerator that received an award from the fund shall maintain and update a dashboard of indicators to measure the effectiveness of the business incubator and accelerator programs. Indicators shall include the direct jobs created, new companies launched as a direct result of business incubator or accelerator involvement, businesses expanded as a direct result of business incubator or accelerator involvement, direct investment in client companies, private equity financing obtained by client companies, grant funding obtained by client companies, and other measures developed by the recipient business incubators and accelerators in conjunction with the MEDC. Dashboard indicators shall be reported for the prior fiscal year and cumulatively, if available. Each recipient shall submit a copy of their dashboard indicators to the fund by March 1. The fund shall transmit the local reports to the chairpersons of the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by March 15.

Sec. 1035. (1) From the appropriations in part 1, the Michigan council for arts and cultural affairs shall administer an arts and cultural grant program that maintains an equitable geographic distribution of funding and utilizes past arts and cultural grant programs as a guideline for administering this program. The council shall do all of the following:

(a) On or before October 1, the council shall publish proposed application criteria, instructions, and forms for use by eligible applicants. The council shall provide at least a 2-week period for public comment before finalizing the application criteria, instructions, and forms.

(b) A nonrefundable application fee may be assessed for each application. Application fees shall be deposited in the council for the arts fund and are appropriated for expenses necessary to administer the programs. These funds are available for expenditure when they are received and may be carried forward to the following fiscal year.

(c) Grants are to be made to public and private arts and cultural entities.

(d) Within 1 business day after the award announcements, the council shall provide to each member of the legislature and the fiscal agencies a list of all grant recipients and the total award given to each recipient, sorted by county.

(e) In addition to the information in subdivision (d), the council shall report on the number of applications received, number of grants awarded, total amount requested from applications received, and total amount of grants awarded.

(2) The appropriation in part 1 for arts and cultural program shall not be used for the administration of the grant program.

Sec. 1036. (1) The general fund/general purpose funds appropriated in part 1 to the fund for business attraction and community revitalization shall be transferred to the 21st century jobs trust fund per section 90b(3) of the Michigan strategic fund act, 1984 PA 270, MCL 125.2090b.

(2) Funds transferred to the 21st century jobs trust fund under subsection (1) are appropriated and available for allocation as authorized in the Michigan strategic fund act, 1984 PA 270, MCL 125.2001 to 125.2094.

Sec. 1041. From the funds appropriated in part 1 for business attraction and community revitalization, the fund shall request the transfer by the state treasurer of not more than 60% of the funds prior to April 1.

Sec. 1042. For the funds appropriated in part 1 for business attraction and community revitalization, the fund shall report quarterly on the amount of funds considered appropriated, pre-encumbered, encumbered, and expended. The report shall also include a listing of all previous appropriations for business attraction and community revitalization, or a predecessor, that were considered appropriated, pre-encumbered, encumbered, or expended that have lapsed back to the fund for any purpose. The report shall be submitted to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director.

Sec. 1043. (1) The fund, in conjunction with the department of treasury, shall report to the chairpersons of the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by November 1 on the annual cost of the MEGA tax credits. The report shall include for each year the board-approved credit amount, adjusted for credit amendments where applicable, and the actual and projected value of tax credits for each year from 1995 to the expiration of the credit program. For years for which credit claims are complete, the report shall include the total of actual certificated credit amounts. For years for which claims are still pending or not yet submitted, the report shall include a combination of actual credits where available and projected credits. Credit projections shall be based on updated estimates of employees, wages, and benefits for eligible companies.

(2) In addition to the report under subsection (1), the fund, in conjunction with the department of treasury, shall report to the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by November 1 on the annual cost of all other certificated credits by program, for each year until the credits expire or can no longer be collected. The report shall include estimates on the brownfield redevelopment credit, film credits, MEGA photovoltaic technology credit, MEGA polycrystalline silicon manufacturing credit, MEGA vehicle battery credit, and other certificated credits.

Sec. 1044. As a condition of receiving appropriations in part 1, prior to authorizing the transfer of any previously authorized tax credit that would increase the liability to this state, the fund, on behalf of the MSF board, shall notify the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director not fewer than 30 days prior to the authorization of the tax credit transfer.

Sec. 1047. (1) From the funds appropriated in part 1 for Michigan enhancement grants, $600,000.00 shall be awarded to the electronic recording commission. From the funds appropriated, the commission shall expend up to $200,000.00 annually this fiscal year and in the 2 subsequent fiscal years for grants to counties to facilitate or upgrade real property e-recording capabilities. These grants shall be distributed to counties following application to and approval by the commission. The grants shall not exceed $12,000.00 per request and must be used to invest in or upgrade software necessary for the electronic recording of real property documents. The funds for the electronic recording commission are subject to the following:

(a) The commission shall determine an appropriate percentage of total funds to be reserved for newly participating counties and counties which will expend the funds to upgrade the designated software. The commission may require a 10% match in funds from each county to which funds are awarded.

(b) Unexpended grant funds appropriated in part 1 for the electronic recording commission are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for grants under this section until the grant program is completed.

(2) From the funds appropriated in part 1 for Michigan enhancement grants, $1,102,000.00 shall be awarded for a retirement funding shortfall at an association established to provide services and support to Michigan's workforce development system located in a county with a population of between 16,000 and 17,000 according to the most recent federal decennial census.

(3) From the funds appropriated in part 1 for Michigan enhancement grants, $1,000,000.00 shall be awarded to a private, not-for-profit provider of children and family welfare services and behavioral health care services with more than 15 centers throughout the state.

(4) From the funds appropriated in part 1 for Michigan enhancement grants, $1,500,000.00 shall be deposited into the rural jobs and capital investment creation fund created under section 90n of the Michigan strategic fund act, 1984 PA 270, MCL 125.2090n. All funds in the rural jobs and capital investment creation fund are appropriated and available for expenditure pursuant to sections 90m to 90r of the Michigan strategic fund act, 1984 PA 270, MCL 125.2090m to 125.2090r.

(5) From the funds appropriated in part 1 for Michigan enhancement grants, $3,000,000.00 shall be allocated to a nonprofit Michigan health care system organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, and that is located in a county with a population between 26,000 and 27,000 and in a city with a population between 4,500 and 5,000 according to the most recent federal decennial census for the purpose of supporting at least 12 new psychiatric beds.

(6) From the funds appropriated in part 1 for Michigan enhancement grants, $5,000,000.00 shall be allocated to a nonprofit Michigan health care system organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, and that is located in a county with a population between 280,800 and 281,000 and in a city with a population greater than 105,000 according to the most recent federal decennial census for the purpose of supporting a behavioral health pilot project.

(7) From the funds appropriated in part 1 for Michigan enhancement grants, $220,000.00 shall be awarded to a nonpartisan, not-for-profit civic education organization located in a county with a population of between 280,800 and 281,000 and in a city with a population greater than 80,000 according to the most recent federal decennial census.

(8) From the funds appropriated in part 1 for Michigan enhancement grants, $200,000.00 shall be awarded to a naval museum located in a county with a population of between 107,000 and 108,000 according to the most recent federal decennial census for infrastructure upgrades.

(9) From the funds appropriated in part 1 for Michigan enhancement grants, $85,000.00 shall be awarded for renovations at a historic mansion in a county with a population of between 1,200,000 and 1,203,000 and in a city with a population of between 10,300 and 10,400 according to the most recent federal decennial census.

(10) From the funds appropriated in part 1 for Michigan enhancement grants, $1,000,000.00 shall be awarded to a public museum in a county with a population between 400,000 and 450,000 and in a city with a population over 100,000 according to the most recent federal decennial census.

(11) From the funds appropriated in part 1 for Michigan enhancement grants, $750,000.00 shall be awarded to a county with a population of between 60,100 and 63,000 according to the most recent federal decennial census to repair the longest covered bridge in Michigan.

(12) From the funds appropriated in part 1 for Michigan enhancement grants, $506,800.00 shall be awarded to a city with a population greater than 100,000 located in a county with a population between 400,000 and 500,000 according to the most recent federal decennial census. The funds awarded shall be used to support a cooperative grocery store to expand access to food within a food desert.

(13) From the funds appropriated in part 1 for Michigan enhancement grants, $250,000.00 shall be awarded to a national, nonprofit program that connects National Guard, reserve, retired, and transitioning active-duty military service members with skilled training and quality career opportunities in the construction industry. Grant funding must be used to recruit and assist veterans to transition into apprenticeship programs in this state.

(14) From the funds appropriated in part 1 for Michigan enhancement grants, $1,000,000.00 shall be awarded to a community house located in a city with a population above 100,000 and in a county with a population between 600,000 and 700,000 according to the most recent federal decennial census. The grant shall be used to support the construction of an early childhood education and senior activity center located within the city.

(15) From the funds appropriated in part 1 for Michigan enhancement grants, $500,000.00 shall be appropriated to a nonprofit organization that has been established for at least 10 years, that is exempt from federal income taxation under section 501(c)(6) of the internal revenue code of 1986, 26 USC 501, and that promotes the aerospace manufacturing industry in this state for the purposes of promoting and developing 5G technology for autonomous ground vehicles, educational purposes in areas of the state with limited internet access, and health care purposes across the state in connection with the convergence of low-earth space satellite technology with 1 or more space launch facilities and an accompanying command center in this state.

(16) From the funds appropriated in part 1 for Michigan enhancement grants, $300,000.00 shall be awarded to a Junior Reserve Officers Training Corps program located at a high school in a city with a population above 500,000 according to the most recent federal decennial census. The grant shall be used to facilitate a partnership between the Junior Reserve Officers Training Corps program and the Michigan National Guard.

(17) From the funds appropriated in part 1 for Michigan enhancement grants, $250,000.00 shall be awarded to a school district located in a city with a population above 500,000 according to the most recent federal decennial census. The grant shall be used to install air filtration systems throughout the district.

(18) From the funds appropriated in part 1 for Michigan enhancement grants, $75,000.00 shall be awarded for a youth sex offender diversion program located in a county with a population of between 600,000 and 603,000 according to the most recent federal decennial census.

(19) From the funds appropriated in part 1 for Michigan enhancement grants, $3,000,000.00 shall be awarded to a nonprofit 501(c)(3) corporation established and operated to provide employment and training services to unemployed and underemployed Michigan residents for a statewide preapprenticeship program that connects the unemployed or underemployed with training and resources necessary for gainful employment. The program shall target residents from underserved communities to provide them with the skills needed for entry into building trades apprenticeships.

(20) From the funds appropriated in part 1 for Michigan enhancement grants, $1,800,000.00 shall be awarded for the planning and design phase of a road project located in a county with a population of between 250,000 and 250,500 according to the most recent federal decennial census.

(21) From the funds appropriated in part 1 for Michigan enhancement grants, $200,000.00 shall be awarded to an addiction and recovery program that coordinates community anchor institutions and facilitates access to addiction programs located in a county with a population of between 425,000 and 426,000 according to the most recent federal decennial census. Grant funding shall be used to expand outreach to schools and community anchors to promote awareness and connect recovery services to individuals and families and for the development of a new treatment facility.

(22) From the funds appropriated in part 1 for Michigan enhancement grants, $750,000.00 shall be awarded to a foundation that develops the leadership of youth and young adults by engaging them in community service located in a county with a population of greater than 1,800,000 and in a city with a population of between 57,000 and 58,000 according to the most recent federal decennial census.

(23) From the funds appropriated in part 1 for Michigan enhancement grants, $500,000.00 shall be awarded for railway renovation, improvements, and expansion in a county with a population of between 86,000 and 87,000 according to the most recent federal decennial census.

(24) From the funds appropriated in part 1 for Michigan enhancement grants, $200,000.00 shall be awarded for railway renovation, improvements, and expansion in a county with a population of between 38,000 and 39,000 according to the most recent federal decennial census.

(25) From the funds appropriated in part 1 for Michigan enhancement grants, $300,000.00 shall be awarded for railway renovation, improvements, and expansion in a county with a population of between 10,000 and 11,000 according to the most recent federal decennial census.

(26) From the funds appropriated in part 1 for Michigan enhancement grants, $154,000.00 shall be awarded for railway renovation, improvements, and expansion in a city with a population between 3,000 and 4,000 located in a county with a population of between 24,000 and 25,000 according to the most recent federal decennial census.

(27) From the funds appropriated in part 1 for Michigan enhancement grants, $41,000.00 shall be awarded for railway renovation, improvements, and expansion in a county with a population of between 15,000 and 16,000 according to the most recent federal decennial census.

(28) From the funds appropriated in part 1 for Michigan enhancement grants, $94,000.00 shall be awarded for railway renovation, improvements, and expansion in a city with a population of between 107,000 and 108,000 according to the most recent federal decennial census.

(29) From the funds appropriated in part 1 for Michigan enhancement grants, $211,000.00 shall be awarded for bridge repairs over railway lines that service Michigan agriculture commodities in a county with a population of between 42,000 and 43,000 according to the most recent federal decennial census.

(30) From the funds appropriated in part 1 for Michigan enhancement grants, $1,700,000.00 shall be awarded to a county with a population of between 280,000 and 281,000 according to the most recent federal decennial census for economic development road projects, health care service road improvements, and health care infrastructure improvements and replacements. Specific projects shall meet particular transportation needs, have an immediate positive impact on local employment and economy, contribute to economic development, be evaluated on the basis of impact on the local community, and be in cooperation with developers, state, and local government.

(31) From the funds appropriated in part 1 for Michigan enhancement grants, $1,000,000.00 shall be awarded for a child care facilitator pilot project administered by the department of labor and economic opportunity in consultation with the Michigan department of education. The project shall leverage employer and state support and utilize a model whereby a designated facilitator hub partners with both employers and child care providers in a designated region to provide child care placement for employees of the partnering employers. The pilot project shall consist of 3 designated regions approved by the department of labor and economic opportunity. One region must be located in a city with a population of between 38,000 and 39,000 and in a county with a population of between 172,000 and 173,000 according to the most recent federal decennial census, 1 region must be located in a rural region, and 1 region must be located in a suburban or urban region.

(32) From the funds appropriated in part 1 for Michigan enhancement grants, $3,000,000.00 shall be awarded for bridge repairs on a state highway located in a county with a population of between 111,000 and 112,000 according to the most recent federal decennial census.

(33) From the funds appropriated in part 1 for Michigan enhancement grants, $1,000,000.00 shall be awarded to an independent biomedical research and science education organization in a county with a population between 600,000 and 610,000 and in a city with a population over 185,000 according to the most recent federal decennial census to be used for matching federal funds, private and nonprofit grants, and private contributions.

Sec. 1048. (1) From the funds appropriated in part 1 for Michigan enhancement grants, the Michigan strategic fund shall execute a grant agreement with each recipient, pursuant to subsection (2). All grant funds are considered direct appropriations and, subject to receipt of all information under subsections (2) and (3), shall be disbursed by the Michigan strategic fund, as determined by the grant agreement. An initial disbursement of 50% shall be provided to the grantee upon execution of the grant agreement.

(2) The Michigan strategic fund shall execute a grant agreement with each recipient in order to receive funding. The grant agreement shall include, but is not limited to, the following:

(a) All necessary identifying information for the recipient, including any necessary tax identification information.

(b) A description of the project for which the grant funds will be expended, including tentative timeline and estimated budget. No expenditures outside of the project purpose, as stated in the executed grant agreement, shall be reimbursed from appropriations in part 1.

(c) A requirement that after the initial 50% disbursement, additional funds shall only be disbursed after verification that the initial payment has been fully expended, in accordance with the project purpose. The remaining funds shall be disbursed in a manner specified in the grant agreement. The grantee must provide sufficient documentation, as determined by the Michigan strategic fund, to verify that all expenditures were made in accordance with the project purpose.

(d) A requirement for quarterly reports from the recipient to the Michigan strategic fund that provide the status of the project and an accounting of all funds expended by the recipient.

(e) A claw-back provision that allows this state to recoup or otherwise collect any funds that are declined, unspent, or otherwise misused.

(3) The grantee shall respond to all reasonable information requests from the Michigan strategic fund related to grant expenditures and retain grant records for a period of not less than 3 years, and the grant may be subject to audit and/or site visits as determined by the Michigan strategic fund. The grant agreement required under subsection (2) shall include signed assurance by the chief executive officer or other executive officer of the grant recipient that this requirement will be met.

(4) All funds awarded shall be expended by the recipient, and projects completed, by September 30, 2024. If at that time, as evidenced by the quarterly reports, any unexpended funds remain, those funds shall be returned by the grantee to the state treasury. The state budget director may, on a case by case basis, extend this deadline, upon request by a grant recipient.

(5) If a grantee does not provide information sufficient to execute a grant agreement by May 1, 2021, funds associated with that grant shall be returned to the state treasury.

(6) The Michigan strategic fund shall provide quarterly updates on the accounting and status of each project to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office.

Sec. 1050. (1) From the funds appropriated in part 1 for business attraction and community revitalization, the fund shall identify specific outcomes and performance measures, including, but not limited to, the following:

(a) Total verified jobs created by the business attraction program during the fiscal year ending September 30, 2021.

(b) Total private investment obtained through the business attraction and community revitalization programs during the fiscal year ending September 30, 2021.

(c) Amount of private and public square footage created and reactivated through the community revitalization program during the fiscal year ending September 30, 2021.

(2) The fund must submit a report to the chairpersons of the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by March 15. The report must describe the specific outcomes and measures required in subsection (1) and provide the results and data related to these outcomes and measures for the prior fiscal year if related information is available for the prior fiscal year.

Sec. 1051. In addition to the funds appropriated in part 1, the funds collected by state historic preservation programs for document reproduction and services and application fees are appropriated for all expenses necessary to provide the required services. These funds are available for expenditure when they are received and may be carried forward into the succeeding fiscal year.

Sec. 1052. (1) From the funds appropriated in part 1 for coronavirus relief fund grants, $2,452,900.00 shall be awarded to a human services agency that is a member of the Association of Accredited Child and Family Agencies with an administrative office located in a county with a population greater than 1,800,000 and in a city with a population of between 11,500 and 11,600 according to the most recent federal decennial census for eligible expenses related to COVID-19 including, but not limited to, personal protection equipment, facility modification, and technology upgrades.

(2) From the funds appropriated in part 1 for coronavirus relief fund grants, $1,902,300.00 shall be awarded to a human services agency that is a member of the Association of Accredited Child and Family Agencies located in a county with a population greater than 1,800,000 and in a city with a population of between 84,000 and 84,100 according to the most recent federal decennial census for eligible expenses related to COVID-19 including, but not limited to, personal protection equipment, facility modification, and technology upgrades.

(3) From the funds appropriated in part 1 for coronavirus relief fund grants, $81,900.00 shall be awarded to a human services agency that is a member of the Association of Accredited Child and Family Agencies with a location in a county with a population of between 1,200,000 and 1,203,000 and in a city with a population of between 71,700 and 71,800 according to the most recent federal decennial census for eligible expenses related to COVID-19 including, but not limited to, personal protection equipment, facility modification, and technology upgrades.

(4) From the funds appropriated in part 1 for coronavirus relief fund grants, $77,100.00 shall be awarded to a human services agency that is a member of the Association of Accredited Child and Family Agencies located in a county with a population of between 1,200,000 and 1,203,000 and in a city with a population of between 59,000 and 60,000 according to the most recent federal decennial census for eligible expenses related to COVID-19 including, but not limited to, personal protection equipment, facility modification, and technology upgrades.

(5) From the funds appropriated in part 1 for coronavirus relief fund grants, $85,800.00 shall be awarded to a human services agency that is a member of the Association of Accredited Child and Family Agencies with a location in a county with a population of between 425,700 and 426,000 and in a city with a population of between 102,000 and 103,000 according to the most recent federal decennial census for eligible expenses related to COVID-19 including, but not limited to, personal protection equipment, facility modification, and technology upgrades.

(6) From the funds appropriated in part 1 for coronavirus relief fund grants, $2,000,000.00 shall be allocated on a competitive basis to hospitals for the purchase and installation of ultraviolet control technology filtration and cleaning systems for control of harmful pathogens in the air and on surfaces.

(7) From the funds appropriated in part 1 for coronavirus relief fund grants, $400,000.00 shall be awarded for a COVID-19 testing facility associated with a university located in a county with a population of between 36,600 and 37,000 and in a city with a population of between 7,700 and 7,800 according to the most recent federal decennial census for eligible expenses related to COVID-19.

(8) From the funds in part 1 appropriated for coronavirus relief fund grants, $3,000,000.00 is appropriated for the purchase of rapid COVID-19 tests. The awarded vendors must offer both antibody testing and PCR testing with two types – nasal and noninvasive saliva. Emergency use authorization should be registered with the FDA at 100% accuracy and have turnaround in the country at 12-24 hours guaranteed. The purchased rapid COVID-19 tests shall be distributed to hospitals, health systems, or nursing homes that wish to employ the rapid testing system described above to complete tests for health care workers or health care patients where tests are necessary prior to an expected aerosolizing health care procedure. The rapid COVID-19 tests shall be distributed upon application from a hospital or health system with no more than 50% being awarded to a specific hospital or health system.

WORKFORCE DEVELOPMENT AND UNEMPLOYMENT

Sec. 1060. The department shall administer the PATH training program in accordance with the requirements of section 407(d) of title IV of the social security act, 42 USC 607, the state social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and all other applicable laws and regulations.

Sec. 1061. From the funds appropriated in part 1 for workforce programs subgrantees, the department may allocate funding for grants to nonprofit organizations that offer programs pursuant to the workforce innovation and opportunity act, 29 USC 3101 to 3361, eligible youth focusing on apprenticeship readiness, pre-apprenticeship and apprenticeship activities, entrepreneurship, work-readiness skills, job shadowing, and financial literacy. Organizations eligible for funding under this section must have the capacity to provide similar programs in urban areas, as determined by the United States Bureau of the Census according to the most recent federal decennial census. Additionally, programs eligible for funding under this section must include the participation of local business partners. The department shall develop other appropriate eligibility requirements to ensure compliance with applicable federal rules and regulations.

Sec. 1062. The department shall make available, in person or by telephone, 1 disabled veterans outreach program specialist or local veterans employment representative to Michigan Works! service centers, as resources permit, during hours of operation, and shall continue to make the appropriate placement of veterans and disabled veterans a priority.

Sec. 1063. (1) In addition to the funds appropriated in part 1, any unencumbered and unrestricted federal workforce innovation and opportunity act, 29 USC 3101 to 3361, or trade adjustment assistance funds available from prior fiscal years are appropriated for the purposes originally intended.

(2) The department shall report by February 15 to the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director on the amount by fiscal year of federal workforce innovation and opportunity act, 29 USC 3101 to 3361, funds appropriated under this section.

Sec. 1064. As a condition of receiving funds appropriated in part 1 for Going pro, the department shall provide a report on Going pro expenditures, by program or grant type, for the prior fiscal year. In addition, the report shall include projected expenditures, by program or grant type, for the current fiscal year. The report shall be posted online and distributed to the chairpersons of the senate and house of representatives standing committees on appropriations, the chairpersons of the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director by March 15.

Sec. 1065. The department shall publish data and reports on March 15 and September 30 on the department website concerning the status of career technology and Going pro funded in part 1. The report shall include the following:

(a) The number of awardees participating in the program and the names of those awardees organized by major industry group.

(b) The amount of funding received by each awardee under the program.

(c) Amount of funding leveraged from each awardee.

(d) Training models established by each awardee.

(e) The number of individuals enrolled in classroom training, on-the-job training, or new USDOL registered apprentices.

(f) The number of individuals who completed the program and were hired by awardee.

(g) The number of applications received and the number of grants awarded for each region.

(h) The department shall expand workforce training and reemployment services to better connect workers to in-demand jobs and identify specific outcomes with performance metrics for this initiative, including, but not limited to, new apprenticeships, individuals to be hired and trained, current employees trained, training completed, and employment retention rate at 6 months, and hourly wage at 6 months.

Sec. 1066. As a condition of receiving funds in part 1 for Going pro, the department shall administer the program as follows:

(a) The department shall work cooperatively with grantees to maximize the amount of funds from part 1 that are available for direct training.

(b) The department, workforce development partners, including regional Michigan Works! agencies, and employers shall collaborate and work cooperatively to prioritize and streamline the expenditure of the funds appropriated in part 1. The department shall ensure that Going pro provides a collaborative statewide network of workforce and employee skill development partners that addresses the employee talent needs throughout the state.

(c) The department shall ensure that grants are utilized for individual skill enhancement and to address in-demand talent needs in Michigan.

(d) The department shall develop program goals and detailed guidance for prospective participants to follow to qualify under the program. The program goals and detailed guidance shall be posted on the department website and distributed to workforce development partners, including local Michigan Works! agencies, by October 1. Periodic assessments of employer and employee needs shall be evaluated on a regional basis, and the department shall identify solutions and goals to be implemented to satisfy those needs. The department shall notify the senate and house of representatives standing committees on appropriations, the relevant senate and house of representatives appropriations subcommittees, the senate and house fiscal agencies, and the state budget director on any program goal, solution, or guidance changes not fewer than 14 days prior to the finalization and publication of the changes. Revenue received by the department for Going pro may be expended for the purpose of those programs.

(e) Up to $5,000,000.00 of the funds may be expended to match federal funds to improve and increase the skill level of employees in skilled trades and manufacturing processes within the changing manufacturing environment.

Sec. 1067. From the appropriation in part 1 for Going pro, funds may be deposited into the going pro talent fund created under section 5 of the going pro talent fund act, 2018 PA 260, MCL 408.155. All funds in the going pro talent fund are appropriated and available for expenditure to support the going pro talent program pursuant to sections 7 and 9 of the going pro talent fund act, 2018 PA 260, MCL 408.157 to 408.159.

Sec. 1068. (1) Of the funds appropriated in part 1 for the workforce training programs, the department shall provide a report by March 15 to the relevant senate and house of representatives appropriation subcommittees, the state budget director, and the senate and house fiscal agencies on the status of the workforce training programs. The report shall include the following:

(a) The amount of funding allocated to each Michigan Works! agency and the total funding allocated to the workforce training programs statewide by fund source.

(b) The number of participants enrolled in education or training programs by each Michigan Works! agency.

(c) The average duration of training for training program participants by each Michigan Works! agency.

(d) The number of participants enrolled in remedial education programs and the number of participants enrolled in literacy programs.

(e) The number of participants enrolled in programs at 2-year institutions.

(f) The number of participants enrolled in programs at 4-year institutions.

(g) The number of participants enrolled in proprietary schools or other technical training programs.

(h) The number of participants that have completed education or training programs.

(i) The number of participants who secured employment in Michigan within 1 year of completing a training program.

(j) The number of participants who completed a training program and secured employment in a field related to their training.

(k) The average wage earned by participants who completed a training program and secured employment within 1 year.

(*l*) The actual revenues received by the fund source and fund appropriated for each discrete workforce development program area.

(2) Data collection for the report shall be for the prior state fiscal year.

Sec. 1069. (1) Funds appropriated in part 1 for workforce development program may be used for employment and training-related services and to assist Healthy Michigan plan recipients to secure and maintain training and employment. The department shall work with the department of health and human services to coordinate with and complement existing employment-related services for Healthy Michigan plan recipients.

(2) Funds appropriated in part 1 for workforce development programs may also be used to hire additional department field staff to educate impacted Healthy Michigan plan recipients on requirements and available services, make referrals, assess and address barriers to employment, and manage other caseload-related impacts resulting from the implementation of sections 107a and 107b of the social welfare act, 1939 PA 280, MCL 400.107a and 400.107b.

(3) The department shall report quarterly to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office on the implementation of work engagement requirement employment supports and services. The report shall include, but need not be limited to, all of the following:

(a) The number of recipients currently receiving employment supports and services under this section.

(b) The total year-to-date number of recipients who have received employment supports and services under this section.

(c) The number of recipients who secured employment in this state after receiving employment supports and services under this section.

(d) The total year-to-date number of field staff hired to provide supports and services under this section.

(e) A summary of employment supports and services provided under this section.

Sec. 1070. (1) From the funds appropriated in part 1 for Going pro, $1,500,000.00 must be awarded for a program to assist adults over the age of 23 in obtaining high school diplomas and placement in career training programs.

(2) For purposes of this section, an eligible program provider may be a public, nonprofit, or private accredited diploma-granting institution, but must have at least 2 years of experience providing dropout recovery services in this state.

(3) The department shall issue a request for qualifications for eligible program providers to participate in the pilot program. To be considered a qualified program provider, the institution must possess all of the following:

(a) Experience providing dropout reengagement services.

(b) Ability to provide academic intake assessments.

(c) Capacity to provide an integrated learning plan.

(d) Course catalog that includes access to all graduation requirements.

(e) Capability to provide remediation coursework.

(f) Means to provide academic resilience assessment and intervention.

(g) Capacity to provide employability skills development.

(h) Ability to provide WorkKeys preparation.

(i) Ability to provide industry credentials.

(j) Capability to provide credit for on-the-job training.

(k) Access to a robust support framework, including technology, social support, and academic support accredited by a recognized accrediting body.

(4) The department shall announce qualified program providers no later than January 1, 2021. Qualified program providers must start providing programming by February 1, 2021.

(5) The department shall reimburse qualified program providers for each month of satisfactory monthly progress as described in section 23a of the state school aid act, 1979 PA 94, MCL 388.1623a, at a rate of $500.00 per month. A payment shall be made to a qualified program provider for the completion of the following by a pupil:

(a) $500.00 for the completion of an employability skills certification program equal to at least 1 unit of high school credit obtained through classroom or online instruction.

(b) $250.00 for the attainment of an industry-recognized credential requiring up to 50 hours of training.

(c) $500.00 for the attainment of an industry-recognized credential requiring 50 to 100 hours of training.

(d) $750.00 for the attainment of an industry-recognized credential requiring more than 100 hours of training.

(e) $1,000.00 for attainment of a high school diploma.

(f) $2,500.00 for placement in a job in an in-demand career pathway.

(6) The department shall develop policies and guidelines to implement this section.

Sec. 1071. From the funds appropriated in part 1 for at-risk youth grants, $3,750,000.00 must be awarded to the Michigan franchise holder of the national Jobs for America's Graduates program.

Sec. 1072. (1) From the funds appropriated in part 1 for high school equivalency-to-school program, the department shall allocate $250,000.00 for the purpose of funding the cost of high school equivalency testing and certification as provided by this section. The department shall administer a Michigan high school equivalency-to-school program, which shall cover the cost of providing the high school equivalency test free of charge to individuals who meet all of the following requirements:

(a) The individual has not previously been administered a high school equivalency test free of charge under this section.

(b) The individual meets at least 1 of the following requirements:

(*i*) Prior to taking the high school equivalency test, the individual successfully completed a department-approved high school equivalency preparation program.

(*ii*) Prior to taking the high school equivalency test, the individual completed the official high school equivalency practice test and the individual's score indicated that he or she is likely to pass.

(2) A department-approved high school equivalency preparation program shall include all of the following:

(a) Instructional and tutorial assistances.

(b) High school equivalency test practice.

(c) Required attendance at program instructional sessions.

(d) A curriculum that prepares students for opportunities in postsecondary education and the job market.

(e) Information on potential postsecondary and career pathways.

(f) Counseling on preparing for and applying to college.

(g) Personal and job readiness skills development.

(h) Comprehensive information on college costs and financial aid.

(i) College and career assessments.

(j) Computer-based instruction, practice, or remediation.

(3) The department shall post online an announcement of the Michigan high school equivalency-to-school program, minimum standards for high school equivalency preparation program approval, and approval procedures.

(4) The department shall do all of the following:

(a) Develop procedures consistent with this section under which individuals can take the high school equivalency test without charge.

(b) Provide program information for educators and students on the department website, including explanations of the procedures developed under this subsection, and contact information for questions about the program.

(c) Provide an estimate of the full-year cost of the program to the senate and house appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director.

(5) By September 30, the department shall report to the relevant senate and house appropriations subcommittees, the senate and house fiscal agencies, and the state budget director on utilization of the high school equivalency incentive program, including numbers of high school equivalency certifications issued by location, year-to-date expenditures, and numbers of participants qualifying under subsection (1)(b)(*i*) or (*ii*), or both.

(6) The unexpended funds appropriated for the high school equivalency-to-school program are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to fund the cost of high school equivalency testing and certification for certain individuals as provided by this section.

(b) The projects will be accomplished by utilizing state employees or contracts with private vendors, or both.

(c) The total estimated cost of the project is $250,000.00.

(d) The tentative completion date is September 30, 2025.

Sec. 1074. (1) The funds appropriated in part 1 from the talent investment fund created under section 8a of the higher education loan authority act, 1975 PA 222, MCL 390.1158a, for the Michigan reconnect grant program shall be distributed pursuant to this section.

(2) As a condition of receiving the funds appropriated in part 1 for the Michigan reconnect grant program, the department shall allocate 10.0 FTE positions for navigators who provide support services for Michigan reconnect grant program students and 2.0 FTE positions for oversight and implementation of the Michigan reconnect grant program.

Sec. 1075. (1) From the funds appropriated in part 1, the department on behalf of the unemployment insurance agency shall provide a monthly report to the members of the senate and house committees on appropriations, the senate and house fiscal agencies, and the state budget director that includes, but is not limited to, the following:

(a) The 4-week average number of unique claimants.

(b) The 4-week average number of eligible claimants with certification.

(c) The 4-week average number of claims paid.

(d) The total amount of standard unemployment insurance payments paid for the month.

(e) The total amount of unemployment insurance tax generated for the quarter.

(f) The balance of the Michigan unemployment trust fund at the end of the quarter.

(2) The department shall include the same information required in subsection (1) for the previous 12 months. The department shall include the most recent monthly report on the department's webpage.

Sec. 1076. The department shall provide a quarterly report to the members of the senate and house committees on appropriations, the senate and house fiscal agencies, and the state budget director that includes, but is not limited to, the following:

(a) The number of new fraudulent and noncompliant cases that have been identified or issued by the unemployment insurance agency, classified by employer or claimant, during the quarter.

(b) The total amount of penalties and interest issued on fraudulent and noncompliant cases during the quarter.

(c) The total amount of penalties and interest dollars received during the quarter by employer or claimant.

(d) The total amount of penalties and interest still owed to the state by employer or claimant.

(e) The number of fraudulent and noncompliant cases that have been appealed by an employer or claimant during the quarter.

Sec. 1078. (1) From the funds appropriated in part 1 for the unemployment insurance agency, the department shall maintain customer service standards for employers and claimants making use of the various means by which they can access the system.

(2) The department shall identify specific outcomes and performance metrics for this initiative, including, but not limited to, the following:

(a) Unemployment benefit fund balance.

(b) Process improvement - fiscal integrity.

(c) Process improvement - determination timeliness.

(d) Process improvement - determination quality.

Sec. 1079. (1) The department shall extend the interagency agreement with the department of health and human services for the duration of the current fiscal year, which concerns TANF funding to provide job readiness and welfare-to-work programming. The interagency agreement shall include specific outcome and performance reporting requirements as described in this section. TANF funding provided to the department in the current fiscal year is contingent on compliance with the data and reporting requirements described in this section. The interagency agreement shall require the department to provide all of the following items for the previous year to the senate and house appropriations committees by January 1 of the current fiscal year:

(a) An itemized spending report on TANF funding, including all of the following:

(*i*) Direct services to clients.

(*ii*) Administrative expenditures.

(b) The number of family independence program clients served through the TANF funding, including all of the following:

(*i*) The number and percentage who obtained employment through Michigan Works!

(*ii*) The number and percentage who fulfilled their TANF work requirement through other job readiness programming.

(*iii*) Average TANF spending per client.

(*iv*) The number and percentage of clients who were referred to Michigan Works! but did not receive a job or job readiness placement and the reasons why.

(2) Not later than March 15 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices an annual report on the following matters itemized by Michigan Works! agency: the number of referrals to Michigan Works! job readiness programs, the number of referrals to Michigan Works! job readiness programs who became a participant in the Michigan Works! job readiness programs, the number of participants who obtained employment, and the cost per participant case.

REHABILITATION SERVICES

Sec. 1081. The Michigan rehabilitation services and bureau of services for blind persons shall work collaboratively with service organizations and government entities to identify qualified match dollars to maximize use of available federal vocational rehabilitation funds.

Sec. 1082. The department shall provide an annual report by February 1 to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on efforts taken to improve the Michigan rehabilitation services. The report shall include all of the following line items:

(a) Reductions and changes in administration costs and staffing.

(b) Service delivery plans and implementation steps achieved.

(c) Reorganization plans and implementation steps achieved.

(d) Plans to integrate Michigan rehabilitative services programs into other services provided by the department.

(e) Quarterly expenditures by major spending category.

(f) Employment and job retention rates from both Michigan rehabilitation services and its nonprofit partners.

(g) Success rate of each district in achieving the program goals.

Sec. 1083. (1) From the funds appropriated in part 1 for Michigan rehabilitation services, the department shall allocate $50,000.00 along with available federal match to support the provision of vocational rehabilitation services to eligible agricultural workers with disabilities. Authorized services shall assist agricultural workers with disabilities in acquiring or maintaining quality employment and independence.

(2) By March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the total number of clients served and the total amount of federal matching funds obtained throughout the duration of the program.

Sec. 1084. (1) It is the intent of the legislature that Michigan rehabilitation services shall not implement an order of selection for vocational and rehabilitative services. If the department is at risk of entering into an order of selection for services, the department shall notify the chairs of the senate and house appropriations subcommittees on the department budget and the senate and house fiscal agencies and policy offices within 2 weeks of receiving notification.

(2) It is the intent of the legislature that the department coordinate with Michigan rehabilitation services, Michigan Works!, local technological and trade schools and programs, local community mental health offices, and other local entities, public and private, in order to fully utilize open Michigan rehabilitation services programming space, regardless of eligibility criteria.

Sec. 1085. From the funds appropriated in part 1 for Michigan rehabilitation services, the department shall allocate $6,100,300.00, including federal matching funds, to service authorizations with community-based rehabilitation organizations for an array of needed services throughout the rehabilitation process.

Sec. 1086. (1) Funds appropriated in part 1 for independent living shall be used to support the general operations of centers for independent living in delivering mandated independent living services in compliance with federal rules and regulations for the centers, by existing centers for independent living to serve underserved areas, and for projects to build the capacity of centers for independent living to deliver independent living services. Applications for the funds shall be reviewed in accordance with criteria and procedures established by the department. The funds appropriated in part 1 may be used to leverage federal vocational rehabilitation innovation and expansion funds consistent with 34 CFR 361.35, up to $5,543,000.00, if available. If the possibility of matching federal funds exists, the centers for independent living network will negotiate a mutually beneficial contractual arrangement with Michigan rehabilitation services. Funds shall be used in a manner consistent with the state plan for independent living. Services provided should assist people with disabilities to move toward self-sufficiency, including support for accessing transportation and health care, obtaining employment, community living, nursing home transition, information and referral services, education, youth transition services, veterans, and stigma reduction activities and community education. This includes the independent living guide services that specifically focus on economic self-sufficiency.

(2) In partnership with service providers, the department shall provide a report by March 1 of the current fiscal year to the relevant subcommittees, the house and senate appropriations committees, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on direct customer and system outcomes and performance measures.

Sec. 1087. (1) The appropriation in part 1 for the bureau of services for blind persons includes funds for case services. These funds may be used for tuition payments for blind clients.

(2) Revenue collected by the bureau of services for blind persons and from private and local sources that is unexpended at the end of the fiscal year may carry forward to the subsequent fiscal year.

Sec. 1088. The bureau of services for blind persons may provide and enter into agreements to provide general services, training, meetings, information, special equipment, software, facility use, and technical consulting services to other principal executive departments, state agencies, local units of government, the judicial branch of government, other organizations, and patrons of department facilities. The department may charge fees for these services that are reasonably related to the cost of providing the services. In addition to the funds appropriated in part 1, funds collected by the department for these services are appropriated for all expenses necessary. The funds appropriated under this section are allotted for expenditure when they are received by the department of treasury.

Sec. 1089. (1) The funds appropriated in part 1 for a regional or subregional library shall not be released until a budget for that regional or subregional library has been approved by the department for expenditures for library services directly serving the blind and persons with disabilities.

(2) In order to receive subregional state aid as appropriated in part 1, a regional or subregional library's fiscal agency shall agree to maintain local funding support at the same level in the current fiscal year as in the fiscal agency's preceding fiscal year. If a reduction in expenditures equally affects all agencies in a local unit of government that is the regional or subregional library's fiscal agency, that reduction shall not be interpreted as a reduction in local support and shall not disqualify a regional or subregional library from receiving state aid under part 1. If a reduction in income affects a library cooperative or district library that is a regional or subregional library's fiscal agency or a reduction in expenditures for the regional or subregional library's fiscal agency, a reduction in expenditures for the regional or subregional library shall not be interpreted as a reduction in local support and shall not disqualify a regional or subregional library from receiving state aid under part 1.

COMMISSIONS

Sec. 1090. The office of global Michigan is to coordinate with the Asian Pacific American affairs commission, the Commission on Middle Eastern American affairs, and the Hispanic/Latino commission of Michigan to produce a report by January 31 that is to be transmitted to the senate and house subcommittee chairpersons of the relevant subcommittees, the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director. The report shall include, but is not limited to, the following:

(a) Total number of people with whom each commission directly interacts through programming.

(b) Total number of public events that each commission conducted.

(c) Description of the activities that the commissions initiated to promote cooperation between the commissions.

(d) Total number of meetings that each commission held with foreign diplomats.

(e) Programmatic costs of each commission.

Sec. 1091. An expenditure of funds appropriated in part 1 by the Asian Pacific American affairs commission, the commission on Middle Eastern American affairs, or the Hispanic/Latino commission of Michigan for a commission event must be directly related to the mission statement of that commission.

Sec. 1092. The office of global Michigan must produce a report by January 31 and transmit the report to the subcommittees, the senate and house fiscal agencies, and the state budget director. The report may include other information, but it must include all of the following:

(a) A description of the major programs and activities of the office of global Michigan and the number of individuals served through those programs.

(b) The number of job seekers and the number of employers that the office has served through the Michigan international talent solutions program.

(c) A description of the activities that the office has conducted to attract and retain international, advanced degree, and entrepreneurial talent.

STATE BUILDING AUTHORITY

Sec. 1100. (1) Subject to section 242 of the management and budget act, 1984 PA 431, MCL 18.1242, and upon the approval of the state building authority, the department of treasury may expend from the general fund of the state during the fiscal year an amount to meet the cash flow requirements of those state building authority projects solely for lease to a state agency identified in both part 1 and this section, and for which state building authority bonds or notes have not been issued, and for the sole acquisition by the state building authority of equipment and furnishings for lease to a state agency as permitted by 1964 PA 183, MCL 830.411 to 830.425, for which the issuance of bonds or notes is authorized by a legislative appropriation act that is effective for the immediately preceding fiscal year. Any general fund advances for which state building authority bonds have not been issued shall bear an interest cost to the state building authority at a rate not to exceed that earned by the state treasurer's common cash fund during the period in which the advances are outstanding and are repaid to the general fund of the state.

(2) Upon sale of bonds or notes for the projects identified in part 1 or for equipment as authorized by a legislative appropriation act and in this section, the state building authority shall credit the general fund of the state an amount equal to that expended from the general fund plus interest, if any, as defined in this section.

(3) For state building authority projects for which bonds or notes have been issued and upon the request of the state building authority, the state treasurer shall make advances without interest from the general fund as necessary to meet cash flow requirements for the projects, which advances shall be reimbursed by the state building authority when the investments earmarked for the financing of the projects mature.

(4) In the event that a project identified in part 1 is terminated after final design is complete, advances made on behalf of the state building authority for the costs of final design shall be repaid to the general fund in a manner recommended by the director.

Sec. 1102. (1) State building authority funding to finance construction or renovation of a facility that collects revenue in excess of money required for the operation of that facility shall not be released to a university or community college unless the institution agrees to reimburse that excess revenue to the state building authority. The excess revenue shall be credited to the general fund to offset rent obligations associated with the retirement of bonds issued for that facility. The auditor general shall annually identify and present an audit of those facilities that are subject to this section. Costs associated with the administration of the audit shall be charged against money recovered pursuant to this section.

(2) As used in this section, "revenue" includes state appropriations, facility opening money, other state aid, indirect cost reimbursement, and other revenue generated by the activities of the facility.

Sec. 1103. The state building authority shall provide to the JCOS, senate and house fiscal agencies, and state budget director a report relative to the status of construction projects associated with state building authority bonds as of September 30 of each year, on or before October 15, or not more than 30 days after a refinancing or restructuring bond issue is sold. The report shall include, but is not limited to, the following:

(a) A list of all completed construction projects for which state building authority bonds have been sold, and which bonds are currently active.

(b) A list of all projects under construction for which sale of state building authority bonds is pending.

(c) A list of all projects authorized for construction or identified in an appropriations act for which approval of schematic/preliminary plans or total authorized cost is pending that have state building authority bonds identified as a source of financing.

REVENUE STATEMENT

Sec. 1201. Pursuant to section 18 of article V of the state constitution of 1963, fund balances and estimates are presented in the following statement:

BUDGET RECOMMENDATIONS BY OPERATING FUNDS
(Amounts in millions)
Fiscal Year 2020-2021

	Beginning Balance	Estimated Revenue	Ending Balance
OPERATING FUNDS			
General fund/general purpose	524.5	10,580.4	1.5
School aid fund	263.1	16,489.9	12.3
Federal aid	0.0	20,664.0	0.0
Transportation funds	0.0	6,923.0	0.0
Special revenue funds	1,155.0	6,892.4	0.0
Other funds	1,201.1	38.2	1,239.3
TOTALS	$3,143.7	$61,587.9	$1,253.1

ARTICLE 6
DEPARTMENT OF HEALTH AND HUMAN SERVICES
PART 1
LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of health and human services for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF HEALTH AND HUMAN SERVICES		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	15,481.0	
Average population	770.0	
GROSS APPROPRIATION		**$ 28,498,448,600**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		13,829,900
ADJUSTED GROSS APPROPRIATION		**$ 28,484,618,700**
Federal revenues:		
Capped federal revenues		469,916,700
Social security act, temporary assistance for needy families		547,204,900
Total other federal revenues		19,049,050,600

			For Fiscal Year Ending Sept. 30, 2021
Special revenue funds:			
Total local revenues			161,422,800
Total private revenues			177,172,500
Michigan merit award trust fund			41,268,700
Total other state restricted revenues			2,948,211,400
State general fund/general purpose		**$**	**5,090,371,100**
Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT			
Full-time equated unclassified positions	6.0		
Full-time equated classified positions	776.6		
Unclassified salaries—FTE positions	6.0	$	1,230,000
Administrative hearings officers			9,875,500
Demonstration projects—FTE positions	7.0		7,364,000
Departmental administration and management—FTE positions	572.6		93,080,100
Office of inspector general—FTE positions	197.0		25,500,500
Property management			65,065,000
Terminal leave payments			7,092,100
Worker's compensation			7,724,100
GROSS APPROPRIATION		**$**	**216,931,300**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from department of education			1,882,600
IDG from department of technology, management, and budget - office of retirement services			600
Federal revenues:			
Social security act, temporary assistance for needy families			23,730,500
Capped federal revenues			18,058,600
Total other federal revenues			68,535,100
Special revenue funds:			
Total local revenues			86,000
Total private revenues			3,843,200
Total other state restricted revenues			1,270,700
State general fund/general purpose		**$**	**99,524,000**
Sec. 103. CHILD SUPPORT ENFORCEMENT			
Full-time equated classified positions	193.7		
Child support enforcement operations—FTE positions	187.7	$	20,179,300
Child support incentive payments			24,409,600
Legal support contracts			113,600,300
State disbursement unit—FTE positions	6.0		8,086,300
GROSS APPROPRIATION		**$**	**166,275,500**
Appropriated from:			
Federal revenues:			
Capped federal revenues			14,839,600
Total other federal revenues			126,204,900
State general fund/general purpose		**$**	**25,231,000**
Sec. 104. COMMUNITY SERVICES AND OUTREACH			
Full-time equated classified positions	71.6		
Bureau of community services and outreach—FTE positions	20.0	$	3,439,300
Child advocacy centers—FTE positions	0.5		2,407,000
Community services and outreach administration—FTE positions	18.0		2,403,700
Community services block grant			25,840,000
Crime victim grants administration services—FTE positions	17.0		3,009,800
Crime victim justice assistance grants			98,579,300

		For Fiscal Year Ending Sept. 30, 2021
Crime victim rights services grants		19,869,900
Domestic violence prevention and treatment—FTE positions	15.6	18,288,000
Homeless programs		23,282,500
Housing and support services		13,031,000
Human trafficking intervention services		200,000
Rape prevention and services—FTE positions	0.5	5,097,300
Runaway and homeless youth grants		7,784,000
School success partnership program		525,000
Uniform statewide sexual assault evidence kit tracking system		800,000
Weatherization assistance		15,505,000
GROSS APPROPRIATION	**$**	**240,061,800**
Appropriated from:		
Federal revenues:		
Social security act, temporary assistance for needy families		16,716,500
Capped federal revenues		62,194,300
Total other federal revenues		116,060,400
Special revenue funds:		
Compulsive gambling prevention fund		1,040,500
Sexual assault evidence tracking fund		800,000
Sexual assault victims' prevention and treatment fund		3,000,000
Child advocacy centers fund		1,407,000
Crime victim's rights fund		18,745,400
State general fund/general purpose	**$**	**20,097,700**
Sec. 105. CHILDREN'S SERVICES AGENCY - CHILD WELFARE		
Full-time equated classified positions	4,127.2	
Adoption subsidies	$	196,452,000
Adoption support services—FTE positions	10.0	35,524,700
Attorney general contract		5,191,100
Child abuse and neglect - children's justice act—FTE positions	1.0	624,200
Child care fund		248,053,600
Child care fund - indirect cost allotment		3,500,000
Child protection		1,050,300
Child welfare administration travel		390,000
Child welfare field staff - noncaseload compliance—FTE positions	353.0	40,559,800
Child welfare institute—FTE positions	51.0	9,182,000
Child welfare licensing—FTE positions	59.0	7,234,500
Child welfare medical/psychiatric evaluations		10,428,500
Children's protective services - caseload staff—FTE positions	1,615.0	167,900,200
Children's protective services supervisors—FTE positions	387.0	47,122,100
Children's services administration—FTE positions	196.2	22,488,500
Children's trust fund administration—FTE positions	12.0	596,300
Children's trust fund grants		3,577,200
Contractual services, supplies, and materials		9,567,600
Court-appointed special advocates		500,000
Education planners—FTE positions	15.0	1,637,800
Family preservation and prevention services administration—FTE positions	9.0	1,390,500
Family preservation programs—FTE positions	15.0	50,812,500
Foster care payments		286,630,400
Foster care services - caseload staff—FTE positions	966.0	96,039,000
Foster care services supervisors—FTE positions	227.0	30,438,900

		For Fiscal Year Ending Sept. 30, 2021
Guardianship assistance program		10,308,000
Interstate compact		179,600
Peer coaches—FTE positions	45.5	6,170,700
Performance based funding implementation—FTE positions	3.0	1,365,200
Permanency resource managers—FTE positions	28.0	3,418,500
Prosecuting attorney contracts		8,142,800
Second line supervisors and technical staff—FTE positions	126.0	19,508,500
Settlement monitor		2,034,100
Strong families/safe children		12,600,000
Title IV-E compliance and accountability office—FTE positions	4.0	450,100
Youth in transition—FTE positions	4.5	8,179,100
GROSS APPROPRIATION		**$ 1,349,248,300**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of education		236,400
Federal revenues:		
Social security act, temporary assistance for needy families		329,271,300
Capped federal revenues		111,788,700
Total other federal revenues		270,544,600
Special revenue funds:		
Local funds - county chargeback		46,081,400
Private - collections		1,208,000
Children's trust fund		2,897,300
State general fund/general purpose		**$ 587,220,600**
Sec. 106. CHILDREN'S SERVICES AGENCY - JUVENILE JUSTICE		
Full-time equated classified positions	120.5	
Bay Pines Center—FTE positions	47.0	$ 5,651,800
Committee on juvenile justice administration—FTE positions	2.5	360,800
Committee on juvenile justice grants		3,000,000
Community support services—FTE positions	3.0	2,133,800
County juvenile officers		3,904,300
Juvenile justice, administration and maintenance—FTE positions	21.0	3,898,800
Shawono Center—FTE positions	47.0	5,722,500
GROSS APPROPRIATION		**$ 24,672,000**
Appropriated from:		
Federal revenues:		
Capped federal revenues		8,555,500
Special revenue funds:		
Local funds - state share education funds		1,355,700
Local funds - county chargeback		4,698,000
State general fund/general purpose		**$ 10,062,800**
Sec. 107. PUBLIC ASSISTANCE		
Full-time equated classified positions	3.0	
Emergency services local office allocations		$ 8,813,500
Family independence program		107,814,300
Food assistance program benefits		1,760,805,700
Food Bank Council of Michigan		2,045,000
Indigent burial		4,369,100
Low-income home energy assistance program		174,951,600
Michigan energy assistance program—FTE positions	1.0	50,000,000
Multicultural integration funding		17,284,900

			For Fiscal Year Ending Sept. 30, 2021
Refugee assistance program—FTE positions	2.0		3,056,600
State disability assistance payments			8,810,000
State supplementation			60,460,700
State supplementation administration			1,806,100
GROSS APPROPRIATION		**$**	**2,200,217,500**
Appropriated from:			
Federal revenues:			
Social security act, temporary assistance for needy families			66,341,300
Capped federal revenues			178,192,700
Total other federal revenues			1,756,605,700
Special revenue funds:			
Child support collections			10,241,100
Supplemental security income recoveries			1,999,500
Public assistance recoupment revenue			5,000,000
Low-income energy assistance fund			50,000,000
State general fund/general purpose		**$**	**131,837,200**
Sec. 108. FIELD OPERATIONS AND SUPPORT SERVICES			
Full-time equated classified positions	5,774.5		
Administrative support workers—FTE positions	221.0	$	13,976,200
Adult services field staff—FTE positions	520.0		61,338,200
Contractual services, supplies, and materials			17,595,000
Donated funds positions—FTE positions	238.0		28,245,000
Elder Law of Michigan MiCAFE contract			350,000
Electronic benefit transfer (EBT)			7,989,000
Employment and training support services			4,219,100
Field policy and administration—FTE positions	119.0		18,681,700
Field staff travel			8,109,900
Food assistance reinvestment—FTE positions	6.0		10,991,200
Medical/psychiatric evaluations			1,420,100
Nutrition education—FTE positions	2.0		33,057,500
Pathways to potential—FTE positions	231.0		24,978,100
Public assistance field staff—FTE positions	4,417.5		474,413,900
Training and program support—FTE positions	20.0		2,591,200
GROSS APPROPRIATION		**$**	**707,956,100**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from department of corrections			120,200
IDG from department of education			7,787,700
Federal revenues:			
Social security act, temporary assistance for needy families			72,296,900
Capped federal revenues			54,218,100
Total other federal revenues			270,794,700
Special revenue funds:			
Local funds - donated funds			4,235,100
Private funds - donated funds			9,622,200
State general fund/general purpose		**$**	**288,881,200**
Sec. 109. DISABILITY DETERMINATION SERVICES			
Full-time equated classified positions	575.4		
Disability determination operations—FTE positions	571.3	$	114,009,100
Retirement disability determination—FTE positions	4.1		629,000
GROSS APPROPRIATION		**$**	**114,638,100**

			For Fiscal Year Ending Sept. 30, 2021
Appropriated from:			
Interdepartmental grant revenues:			
IDG from department of technology, management, and budget - office of retirement services			805,600
Federal revenues:			
Total other federal revenues			109,903,900
State general fund/general purpose		**$**	**3,928,600**
Sec. 110. BEHAVIORAL HEALTH PROGRAM ADMINISTRATION AND SPECIAL PROJECTS			
Full-time equated classified positions	111.0		
Behavioral health program administration—FTE positions	89.0	$	50,020,000
Family support subsidy			13,650,000
Federal and other special projects			2,535,600
Gambling addiction—FTE positions	1.0		5,515,300
Mental health diversion council			3,850,000
Office of recipient rights—FTE positions	21.0		2,873,900
Protection and advocacy services support			194,400
GROSS APPROPRIATION		**$**	**78,639,200**
Appropriated from:			
Federal revenues:			
Social security act, temporary assistance for needy families			13,830,500
Total other federal revenues			40,570,000
Special revenue funds:			
Total private revenues			1,004,700
Total other state restricted revenues			5,515,300
State general fund/general purpose		**$**	**17,718,700**
Sec. 111. BEHAVIORAL HEALTH SERVICES			
Full-time equated classified positions	12.0		
Autism services		$	271,721,000
Behavioral health community supports and services			11,221,500
Civil service charges			297,500
Community mental health non-Medicaid services			125,578,200
Community substance use disorder prevention, education, and treatment			108,333,400
Federal mental health block grant—FTE positions	5.0		20,600,300
Health homes			26,769,700
Healthy Michigan plan - behavioral health			589,941,900
Medicaid mental health services			2,653,305,500
Medicaid substance use disorder services			87,663,200
Nursing home PAS/ARR-OBRA—FTE positions	7.0		13,945,600
State disability assistance program substance use disorder services			2,018,800
GROSS APPROPRIATION		**$**	**3,911,396,600**
Appropriated from:			
Federal revenues:			
Total other federal revenues			2,669,219,500
Special revenue funds:			
Total local revenues			20,380,700
Total other state restricted revenues			39,517,400
State general fund/general purpose		**$**	**1,182,279,000**
Sec. 112. STATE PSYCHIATRIC HOSPITALS AND FORENSIC MENTAL HEALTH SERVICES			
Full-time equated classified positions	2,453.6		
Average population	770.0		

		For Fiscal Year Ending Sept. 30, 2021
Caro Regional Mental Health Center - psychiatric hospital - adult—FTE positions	542.3	$ 64,864,600
Average population	145.0	
Center for forensic psychiatry—FTE positions	627.1	101,054,600
Average population	240.0	
Developmental disabilities council and projects—FTE positions	10.0	3,143,100
Gifts and bequests for patient living and treatment environment		1,000,000
Hawthorn Center - psychiatric hospital - children and adolescents—FTE positions	292.0	33,576,100
Average population	55.0	
IDEA, federal special education		120,000
Kalamazoo Psychiatric Hospital - adult—FTE positions	564.8	74,250,200
Average population	170.0	
Purchase of medical services for residents of hospitals and centers		445,600
Revenue recapture		750,100
Special maintenance		924,600
Walter P. Reuther Psychiatric Hospital - adult—FTE positions	417.4	60,653,100
Average population	160.0	
GROSS APPROPRIATION		**$ 340,782,000**
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		22,500,000
Total other federal revenues		44,434,700
Special revenue funds:		
Total local revenues		23,105,300
Total private revenues		1,000,000
Total other state restricted revenues		15,109,600
State general fund/general purpose		**$ 234,632,400**
Sec. 113. HEALTH AND HUMAN SERVICES POLICY AND INITIATIVES		
Full-time equated classified positions	49.7	
Bone marrow donor and blood bank programs		$ 750,000
Certificate of need program administration—FTE positions	11.8	2,822,100
Michigan essential health provider		3,519,600
Minority health grants and contracts—FTE positions	3.0	1,136,500
Nurse education and research program—FTE positions	3.0	814,000
Policy and planning administration—FTE positions	28.9	3,987,300
Primary care services—FTE positions	2.0	3,793,000
Rural health services—FTE positions	1.0	1,555,500
GROSS APPROPRIATION		**$ 18,378,000**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from the department of education		2,400
IDG from the department of licensing and regulatory affairs		814,000
IDG from the department of treasury, Michigan finance authority		117,700
Federal revenues:		
Social security act, temporary assistance for needy families		163,400
Capped federal revenues		17,000
Total other federal revenues		4,425,600
Special revenue funds:		
Total private revenues		865,000
Total other state restricted revenues		3,233,000

			For Fiscal Year Ending Sept. 30, 2021
State general fund/general purpose		**$**	**8,739,900**
Sec. 114. EPIDEMIOLOGY, EMERGENCY MEDICAL SERVICES, AND LABORATORY			
Full-time equated classified positions	420.5		
Bioterrorism preparedness—FTE positions	53.0	$	30,702,600
Childhood lead program—FTE positions	4.5		2,324,900
Emergency medical services program—FTE positions	23.0		6,667,600
Epidemiology administration—FTE positions	86.1		27,580,700
Healthy homes program—FTE positions	12.0		32,757,500
Laboratory services—FTE positions	102.0		26,655,100
Newborn screening follow-up and treatment services—FTE positions	10.5		7,868,700
PFAS and environmental contamination response—FTE positions	48.0		20,802,500
Vital records and health statistics—FTE positions	81.4		10,686,700
GROSS APPROPRIATION		**$**	**166,046,300**
Appropriated from:			
Interdepartmental grant revenues:			
IDG from the department of environment, Great Lakes, and energy			995,700
Federal revenues:			
Capped federal revenues			81,100
Total other federal revenues			78,067,300
Special revenue funds:			
Total private revenues			342,600
Total other state restricted revenues			32,644,400
State general fund/general purpose		**$**	**53,915,200**
Sec. 115. LOCAL HEALTH AND ADMINISTRATIVE SERVICES			
Full-time equated classified positions	137.3		
AIDS prevention, testing, and care programs—FTE positions	37.7	$	96,696,700
Cancer prevention and control program—FTE positions	18.0		15,825,900
Chronic disease control and health promotion administration—FTE positions	19.4		8,739,100
Diabetes and kidney program—FTE positions	8.0		4,122,000
Essential local public health services			51,419,300
Implementation of 1993 PA 133, MCL 333.17015			20,000
Local health services—FTE positions	3.3		8,710,000
Medicaid outreach cost reimbursement to local health departments			12,500,000
Public health administration—FTE positions	9.0		2,034,100
Sexually transmitted disease control program—FTE positions	20.0		6,182,700
Smoking prevention program—FTE positions	15.0		3,858,300
Violence prevention—FTE positions	6.9		10,334,300
GROSS APPROPRIATION		**$**	**220,442,400**
Appropriated from:			
Federal revenues:			
Total other federal revenues			82,787,900
Special revenue funds:			
Total local revenues			5,150,000
Total private revenues			64,147,600
Total other state restricted revenues			10,113,700
State general fund/general purpose		**$**	**58,243,200**
Sec. 116. FAMILY HEALTH SERVICES			
Full-time equated classified positions	133.6		
Child and adolescent health care and centers		$	8,442,700
Dental programs—FTE positions	3.8		3,264,900

			For Fiscal Year Ending Sept. 30, 2021
Drinking water declaration of emergency			4,621,000
Family, maternal, and child health administration—FTE positions	55.0		9,800,400
Family planning local agreements			8,810,700
Immunization program—FTE positions	15.8		19,103,100
Local MCH services			7,018,100
Pregnancy prevention program			1,464,600
Prenatal care and premature birth avoidance grant			1,000,000
Prenatal care outreach and service delivery support—FTE positions	14.0		25,258,100
Special projects			6,289,100
Sudden and unexpected infant death and suffocation prevention program			321,300
Women, infants, and children program administration and special projects—FTE positions	45.0		18,358,700
Women, infants, and children program local agreements and food costs			231,285,000
GROSS APPROPRIATION		**$**	**345,037,700**
Appropriated from:			
Federal revenues:			
Total other federal revenues			244,114,300
Special revenue funds:			
Total local revenues			8,517,700
Total private revenues			62,202,400
Total other state restricted revenues			4,046,900
State general fund/general purpose		**$**	**26,156,400**
Sec. 117. CHILDREN'S SPECIAL HEALTH CARE SERVICES			
Full-time equated classified positions	46.8		
Bequests for care and services—FTE positions	2.8	$	1,837,100
Children's special health care services administration—FTE positions	44.0		6,081,900
Medical care and treatment			256,226,100
Nonemergency medical transportation			801,200
Outreach and advocacy			5,510,000
GROSS APPROPRIATION		**$**	**270,456,300**
Appropriated from:			
Federal revenues:			
Total other federal revenues			153,214,700
Special revenue funds:			
Total private revenues			1,015,500
Total other state restricted revenues			4,183,400
State general fund/general purpose		**$**	**112,042,700**
Sec. 118. AGING AND ADULT SERVICES AGENCY			
Full-time equated classified positions	47.0		
Aging and adult services administration—FTE positions	47.0	$	9,339,900
Community services			46,806,100
Employment assistance			3,500,000
Nutrition services			43,054,200
Respite care program			6,468,700
Senior volunteer service programs			4,765,300
GROSS APPROPRIATION		**$**	**113,934,200**
Appropriated from:			
Federal revenues:			
Capped federal revenues			249,700
Total other federal revenues			60,594,200
Special revenue funds:			
Total private revenues			1,020,000

			For Fiscal Year Ending Sept. 30, 2021
Michigan merit award trust fund			4,068,700
Total other state restricted revenues			2,000,000
State general fund/general purpose		**$**	**46,001,600**
Sec. 119. MEDICAL SERVICES ADMINISTRATION			
Full-time equated classified positions	408.0		
Electronic health record incentive program		$	37,477,500
Healthy Michigan plan administration—FTE positions	36.0		34,748,600
Medical services administration—FTE positions	372.0		77,725,100
GROSS APPROPRIATION		**$**	**149,951,200**
Appropriated from:			
Federal revenues:			
Total other federal revenues			113,025,600
Special revenue funds:			
Total local revenues			37,700
Total private revenues			851,300
Total other state restricted revenues			336,300
State general fund/general purpose		**$**	**35,700,300**
Sec. 120. MEDICAL SERVICES			
Adult home help services		$	367,575,200
Ambulance services			10,494,300
Auxiliary medical services			7,783,600
Dental clinic program			1,000,000
Dental services			330,754,400
Federal Medicare pharmaceutical program			276,629,000
Health plan services			5,949,874,000
Healthy Michigan plan			4,586,384,100
Home health services			4,446,500
Hospice services			160,016,700
Hospital disproportionate share payments			45,000,000
Hospital services and therapy			835,060,600
Integrated care organizations			289,839,600
Long-term care services			2,051,483,200
Maternal and child health			32,176,500
Medicaid home- and community-based services waiver			372,327,100
Medicare premium payments			673,077,600
Personal care services			9,148,800
Pharmaceutical services			204,266,400
Physician services			279,155,200
Program of all-inclusive care for the elderly			149,987,800
School-based services			151,140,000
Special Medicaid reimbursement			354,301,500
Transportation			15,149,600
GROSS APPROPRIATION		**$**	**17,157,071,700**
Appropriated from:			
Federal revenues:			
Total other federal revenues			12,352,884,500
Special revenue funds:			
Total local revenues			47,775,200
Total private revenues			4,700,000
Michigan merit award trust fund			37,200,000

		For Fiscal Year Ending Sept. 30, 2021
Total other state restricted revenues		2,733,110,100
State general fund/general purpose	**$**	**1,981,401,900**
Sec. 121. INFORMATION TECHNOLOGY		
Full-time equated classified positions	19.0	
Bridges information system	$	3,742,000
Child support automation		43,355,300
Comprehensive child welfare information system—FTE positions	6.0	4,389,400
Information technology services and projects		329,625,500
Michigan Medicaid information system—FTE positions	3.0	116,936,000
Michigan statewide automated child welfare information system		5,647,800
Technology supporting integrated service delivery—FTE positions	10.0	18,461,600
GROSS APPROPRIATION	**$**	**522,157,600**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of education		1,067,000
Federal revenues:		
Social security act, temporary assistance for needy families		24,854,500
Capped federal revenues		21,721,400
Total other federal revenues		333,913,000
Special revenue funds:		
Total private revenues		25,250,000
Total other state restricted revenues		1,999,800
State general fund/general purpose	**$**	**113,351,900**
Sec. 122. ONE-TIME APPROPRIATIONS		
Actuarial study	$	275,000
Autism navigator		1,025,000
Autism train the trainer grant		244,800
Children's center		200,000
County coronavirus related youth funding		250,000
Direct care worker temporary wage increase		150,000,000
First responder and public safety staff mental health		2,500,000
Great Lakes recovery center		250,000
Healthy communities grant		300,000
Infant rapid whole genome sequencing project		1,000,000
Kids' food basket		250,000
Lead poisoning prevention fund		2,000,000
Legal assistance		60,000
Nonprofit mental health clinics		200,000
Senior citizen center program grants		150,000
Skilled nursing facility personal protective equipment grants		20,000,000
Special Olympics capital improvement project		1,000,000
Statewide health information exchange projects		2,750,000
Substance abuse community and school outreach		100,000
Unified clinics resiliency center for families and children		1,500,000
Vision clinic		100,000
GROSS APPROPRIATION	**$**	**184,154,800**
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		20,000,000
Total other federal revenues		110,650,000
Special revenue funds:		
Total private revenues		100,000
State general fund/general purpose	**$**	**53,404,800**

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $8,079,851,200.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $1,673,960,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF HEALTH AND HUMAN SERVICES	
CHILD SUPPORT ENFORCEMENT	
Child support incentive payments	$ 9,465,000
Legal support contracts	53,000
COMMUNITY SERVICES AND OUTREACH	
Community services and outreach administration	1,000
Crime victim rights services grants	9,792,000
Domestic violence prevention and treatment	23,000
Homeless programs	4,000
Housing and support services	33,000
CHILDREN'S SERVICES AGENCY – CHILD WELFARE	
Child care fund	197,186,700
Child care fund - indirect cost allotment	3,500,000
Child welfare licensing	179,000
Child welfare medical/psychiatric evaluations	19,000
Children's trust fund grants	70,000
Contractual services, supplies, and materials	3,000
Family preservation programs	71,000
Foster care payments	1,711,000
Strong families/safe children	7,000
Youth in transition	4,000
CHILDREN'S SERVICES AGENCY – JUVENILE JUSTICE	
Bay Pines Center	32,000
Community support services	362,000
Shawono Center	11,000
PUBLIC ASSISTANCE	
Emergency services local office allocations	598,000
Family independence program	1,000
Indigent burial	4,000
Multicultural integration funding	1,425,000
State disability assistance payments	243,000
FIELD OPERATIONS AND SUPPORT SERVICES	
Contractual services, supplies, and materials	41,000
Employment and training support services	6,000
DISABILITY DETERMINATION SERVICES	
Disability determination operations	3,000
BEHAVIORAL HEALTH PROGRAM ADMINISTRATION AND SPECIAL PROJECTS	
Behavioral health program administration	3,849,000
Gambling addiction	1,494,000
BEHAVIORAL HEALTH SERVICES	
Autism services	99,057,600
Community mental health non-Medicaid services	125,578,200
Community substance use disorder prevention, education, and treatment	16,171,000
Health homes	2,496,300
Healthy Michigan plan - behavioral health	58,689,300
Medicaid mental health services	877,733,300

	For Fiscal Year Ending Sept. 30, 2021
Medicaid substance use disorder services	31,933,900
Nursing home PAS/ARR-OBRA	3,181,000
State disability assistance program substance use disorder services	2,018,800
STATE PSYCHIATRIC HOSPITALS AND FORENSIC MENTAL HEALTH SERVICES	
Caro Regional Mental Health Center - psychiatric hospital – adult	214,000
Center for forensic psychiatry	582,000
Hawthorn Center - psychiatric hospital - children and adolescents	68,000
Kalamazoo Psychiatric Hospital - adult	33,000
Walter P. Reuther Psychiatric Hospital - adult	46,000
HEALTH AND HUMAN SERVICES POLICY AND INITIATIVES	
Primary care services	89,000
EPIDEMIOLOGY, EMERGENCY MEDICAL SERVICES, AND LABORATORY	
Emergency medical services program	5,000
Epidemiology administration	217,000
Healthy homes program	250,000
PFAS and environmental contamination response	868,000
LOCAL HEALTH AND ADMINISTRATIVE SERVICES	
AIDS prevention, testing, and care programs	2,481,000
Cancer prevention and control program	53,000
Chronic disease control and health promotion administration	3,000
Essential local public health services	46,269,300
Local health services	1,182,000
Public health administration	2,000
Sexually transmitted disease control program	459,000
FAMILY HEALTH SERVICES	
Drinking water declaration of emergency	1,460,000
Family planning local agreements	196,000
Immunization program	1,087,000
Prenatal care outreach and service delivery support	4,817,000
CHILDREN'S SPECIAL HEALTH CARE SERVICES	
Children's special health care services administration	5,000
Medical care and treatment	1,093,000
Outreach and advocacy	2,755,000
AGING AND ADULT SERVICES AGENCY	
Aging and adult services administration	1,249,000
Community services	23,785,700
Nutrition services	12,597,200
Respite care program	6,468,700
Senior volunteer service programs	829,000
MEDICAL SERVICES	
Adult home help services	223,000
Ambulance services	540,000
Auxiliary medical services	1,000
Dental services	963,000
Healthy Michigan plan	628,000
Home health services	10,000
Hospice services	16,000
Hospital disproportionate share payments	40,000
Hospital services and therapy	2,428,000
Long-term care services	96,266,000

	For Fiscal Year Ending Sept. 30, 2021
Medicaid home- and community-based services waiver	12,186,000
Personal care services	31,000
Pharmaceutical services	23,000
Physician services	2,629,000
Special Medicaid reimbursement	1,121,400
Transportation	191,000
ONE-TIME APPROPRIATIONS	
Children's center	200,000
County coronavirus related youth funding	250,000
TOTAL OF PAYMENTS TO LOCAL UNITS OF GOVERNMENT	$ 1,673,960,400

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "AIDS" means acquired immunodeficiency syndrome.

(b) "CMHSP" means a community mental health services program as that term is defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.

(c) "CMS" means the Centers for Medicare and Medicaid Services.

(d) "Current fiscal year" means the fiscal year ending September 30, 2021.

(e) "Department" means the department of health and human services.

(f) "Director" means the director of the department.

(g) "DSH" means disproportionate share hospital.

(h) "EPSDT" means early and periodic screening, diagnosis, and treatment.

(i) "Federal poverty level" means the poverty guidelines published annually in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902.

(j) "FTE" means full-time equated.

(k) "GME" means graduate medical education.

(*l*) "Health plan" means, at a minimum, an organization that meets the criteria for delivering the comprehensive package of services under the department's comprehensive health plan.

(m) "HEDIS" means healthcare effectiveness data and information set.

(n) "HMO" means health maintenance organization.

(o) "IDEA" means the individuals with disabilities education act, 20 USC 1400 to 1482.

(p) "IDG" means interdepartmental grant.

(q) "MCH" means maternal and child health.

(r) "Medicaid" means subchapter XIX of the social security act, 42 USC 1396 to 1396w-5.

(s) "Medicare" means subchapter XVIII of the social security act, 42 USC 1395 to 1395*lll*.

(t) "MiCAFE" means Michigan's coordinated access to food for the elderly.

(u) "MIChild" means the program described in section 1670 of this part.

(v) "MiSACWIS" means Michigan statewide automated child welfare information system.

(w) "PAS/ARR-OBRA" means the preadmission screening and annual resident review required under the omnibus budget reconciliation act of 1987, section 1919(e)(7) of the social security act, 42 USC 1396r.

(x) "PFAS" means perfluoroalkyl and polyfluoroalkyl substances.

(y) "PIHP" means an entity designated by the department as a regional entity or a specialty prepaid inpatient health plan for Medicaid mental health services, services to individuals with developmental disabilities, and substance use disorder services. Regional entities are described in section 204b of the mental health code, 1974 PA 258, MCL 330.1204b. Specialty prepaid inpatient health plans are described in section 232b of the mental health code, 1974 PA 258, MCL 330.1232b.

(z) "Previous fiscal year" means the fiscal year ending September 30, 2020.

(aa) "Quarterly reports" means 4 reports shall be submitted to the required recipients by the following dates: February 1, April 1, July 1, and September 30 of the current fiscal year.

(bb) "Semiannual basis" means March 1 and September 30 of the current fiscal year.

(cc) "Settlement" means the settlement agreement entered in the case of *Dwayne B. v Snyder*, docket no. 2:06-cv-13548 in the United States District Court for the Eastern District of Michigan.

(dd) "Temporary assistance for needy families" or "TANF" or "title IV-A" means part A of subchapter IV of the social security act, 42 USC 601 to 619.

(ee) "Title IV-B" means part B of title IV of the social security act, 42 USC 620 to 629m.

(ff) "Title IV-D" means part D of title IV of the social security act, 42 USC 651 to 669b.

(gg) "Title IV-E" means part E of title IV of the social security act, 42 USC 670 to 679c.

(hh) "Title X" means subchapter VIII of the public health service act, 42 USC 300 to 300a-8, which establishes grants to states for family planning services.

Sec. 204. The department and agencies receiving appropriations in part 1 shall use the internet to fulfill the reporting requirements of this part and part 1. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement, and it shall include placement of reports on the internet.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans if they are competitively priced and of comparable quality.

Sec. 206. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 207. The department and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the previous fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the previous fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $20,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393. These funds shall not be made available to increase TANF authorization.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $20,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $2,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for each department or agency:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the senate and house appropriations chairs, the senate and house appropriations subcommittees chairs, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the previous fiscal year and the current fiscal year. The department shall provide to the state budget office information sufficient to complete the report required under this section.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the current fiscal year are estimated at $359,304,200.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $172,398,600.00. Total agency appropriations for retiree health care legacy costs are estimated at $186,905,600.00.

Sec. 215. If either of the following events occur, within 30 days the department shall notify the state budget director, the chairs of the house and senate appropriations subcommittees on the department budget, and the house and senate fiscal agencies and policy offices of that fact:

(a) A legislative objective of this part or of a bill or amendment to a bill to amend the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, cannot be implemented because implementation would conflict with or violate federal regulations.

(b) A federal grant, for which a notice of an award has been received, cannot be used, or will not be used.

Sec. 216. (1) In addition to funds appropriated in part 1 for all programs and services, there is appropriated for write-offs of accounts receivable, deferrals, and for prior year obligations in excess of applicable prior year appropriations, an amount equal to total write-offs and prior year obligations, but not to exceed amounts available in prior year revenues.

(2) The department's ability to satisfy appropriation fund sources in part 1 shall not be limited to collections and accruals pertaining to services provided in the current fiscal year, but shall also include reimbursements, refunds, adjustments, and settlements from prior years.

Sec. 217. (1) By February 1 of the current fiscal year, the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget director on the detailed name and amounts of estimated federal, restricted, private, and local sources of revenue that support the appropriations in each of the line items in part 1.

(2) Upon the release of the next fiscal year executive budget recommendation, the department shall report to the same parties in subsection (1) on the amounts and detailed sources of federal, restricted, private, and local revenue proposed to support the total funds appropriated in each of the line items in part 1 of the next fiscal year executive budget proposal.

Sec. 218. (1) As required under part 23 of the public health code, 1978 PA 368, MCL 333.2301 to 333.2321, the list of basic health services to be funded in the current fiscal year from the appropriations in part 1 shall include the following:

(a) Immunizations.

(b) Communicable disease control.

(c) Sexually transmitted disease control.

(d) Tuberculosis control.

(e) Prevention of gonorrhea eye infection in newborns.

(f) Screening newborns for the conditions listed in section 5431 of the public health code, 1978 PA 368, MCL 333.5431, or recommended by the newborn screening quality assurance advisory committee created under section 5430 of the public health code, 1978 PA 368, MCL 333.5430.

(g) Health and human services annex of the Michigan emergency management plan.

(h) Prenatal care.

(2) By January 1 of the current fiscal year, the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on the revisions to the list of basic health services, listed in subsection (1), and program statements that have been prepared and published as required under section 2311 of the public health code, 1978 PA 368, MCL 333.2311.

Sec. 219. (1) The department may contract with the Michigan Public Health Institute for the design and implementation of projects and for other public health-related activities prescribed in section 2611 of the public health code, 1978 PA 368, MCL 333.2611. The department may develop a master agreement with the Michigan Public Health Institute to carry out these purposes for up to a 3-year period. The department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget director on or before January 1 of the current fiscal year all of the following:

(a) A detailed description of each funded project.

(b) The amount allocated for each project, the appropriation line item from which the allocation is funded, and the source of financing for each project.

(c) The expected project duration.

(d) A detailed spending plan for each project, including a list of all subgrantees and the amount allocated to each subgrantee.

(2) On or before December 30 of the current fiscal year, the department shall provide to the same parties listed in subsection (1) a copy of all reports, studies, and publications produced by the Michigan Public Health Institute, its subcontractors, or the department with the funds appropriated in the department's budget in the previous fiscal year and allocated to the Michigan Public Health Institute.

Sec. 220. The department shall ensure that faith-based organizations are able to apply and compete for services, programs, or contracts that they are qualified and suitable to fulfill. The department shall not disqualify faith-based organizations solely on the basis of the religious nature of their organization or their guiding principles or statements of faith.

Sec. 221. According to section 1b of the social welfare act, 1939 PA 280, MCL 400.1b, the department shall treat part 1 and this part as a time-limited addendum to the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

Sec. 222. (1) The department shall provide written notification to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office of any major policy changes at least 30 days before the implementation date.

(2) The department shall make the entire policy and procedures manual available and accessible to the public via the department website.

(3) The department shall report by April 1 of the current fiscal year on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, the senate and house fiscal agencies, and policy offices. The department shall attach each policy bulletin issued during the prior calendar year to this report.

Sec. 223. The department may establish and collect fees for publications, videos and related materials, conferences, and workshops. Collected fees are appropriated when received and shall be used to offset expenditures to pay for printing and mailing costs of the publications, videos and related materials, and costs of the workshops and conferences. The department shall not collect fees under this section that exceed the cost of the expenditures. When collected fees are appropriated under this section in an amount that exceeds the current fiscal year appropriation, within 30 days the department shall notify the chairs of the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies and policy offices, and the state budget director of that fact.

Sec. 224. The department may retain all of the state's share of food assistance overissuance collections as an offset to general fund/general purpose costs. Retained collections shall be applied against federal funds deductions in all appropriation units where department costs related to the investigation and recoupment of food assistance overissuances are incurred. Retained collections in excess of such costs shall be applied against the federal funds deducted in the departmental administration and support appropriation unit.

Sec. 225. (1) For providers and entities receiving funds from the appropriations in part 1, sanctions, suspensions, conditions for provisional license status, and other penalties shall not be more stringent for private service providers than for public entities performing equivalent or similar services.

(2) For services to be provided from the appropriations in part 1, both of the following apply:

(a) Neither the department nor private service providers or licensees shall be granted preferential treatment or considered automatically to be in compliance with administrative rules based on whether they have collective bargaining agreements with direct care workers.

(b) Private service providers or licensees without collective bargaining agreements shall not be subjected to additional requirements or conditions of licensure based on their lack of collective bargaining agreements.

Sec. 226. If the revenue collected by the department from fees and collections exceeds the amount appropriated in part 1, the revenue may be carried forward with the approval of the state budget director into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

Sec. 227. The state departments, agencies, and commissions receiving tobacco tax funds and Healthy Michigan fund revenue from part 1 shall report by April 1 of the current fiscal year to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director on the following:

(a) Detailed spending plan by appropriation line item including description of programs and a summary of organizations receiving these funds.

(b) Description of allocations or bid processes including need or demand indicators used to determine allocations.

(c) Eligibility criteria for program participation and maximum benefit levels where applicable.

(d) Outcome measures used to evaluate programs, including measures of the effectiveness of these programs in improving the health of Michigan residents.

Sec. 228. (1) If the department is authorized under state or federal law to collect an overpayment owed to the department, the department may assess a penalty of 1% per month beginning 60 days after notification. If caused by department error, a penalty may not be assessed until 6 months after the initial notification date of the overpayment amount. The department shall not collect penalty interest in an amount that exceeds the amount of the original overpayment. The state share of any funds collected under this section shall be deposited in the state general fund.

(2) By September 30 of the current fiscal year, the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office on penalty amounts assessed and paid by account during the current fiscal year, the reason for the penalty, and the current status of the account.

Sec. 229. (1) The department shall extend the interagency agreement with the office of employment and training within the department of labor and economic opportunity for the duration of the current fiscal year, which concerns TANF funding to provide job readiness and welfare-to-work programming. The interagency agreement shall require the office of employment and training within the department of labor and economic opportunity to report the following specific outcome and performance measures to the senate and house appropriations subcommittees on the department budget, the senate and house appropriations subcommittees on general government, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office by January 1 of the current fiscal year for the previous fiscal year:

(a) An itemized spending report on TANF funding, including all of the following:

(*i*) Direct services to recipients.

(*ii*) Administrative expenditures.

(b) The number of family independence program (FIP) recipients served through the TANF funding, including all of the following:

(*i*) The number and percentage who obtained employment through Michigan Works!

(*ii*) The number and percentage who fulfilled their TANF work requirement through other job readiness programming.

(*iii*) Average TANF spending per recipient.

(*iv*) The number and percentage of recipients who were referred to Michigan Works! but did not receive a job or job readiness placement and the reasons why.

(c) The following data itemized by Michigan Works! agency:

(*i*) The number of referrals to Michigan Works! job readiness programs.

(*ii*) The number of referrals to Michigan Works! job readiness programs who became a participant in the Michigan Works! job readiness programs.

(*iii*) The number of participants who obtained employment, and the cost per participant case.

Sec. 230. By December 31 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office on the status of the implementation of any noninflationary, noncaseload, programmatic funding increases in the current fiscal year from the previous fiscal year. The report shall confirm the implementation of already implemented funding increases and provide explanations for any planned implementation of funding increases that have not yet occurred. For any planned implementation of funding increases that have not yet occurred, the department shall provide an expected implementation date and the reasons for delayed implementation.

Sec. 232. (1) The department shall provide the approved spending plan for each line item receiving an appropriation in the current fiscal year to the senate and house appropriations subcommittees on the department budget and the senate and house fiscal agencies within 60 days of approval by the department but not later than January 15 of the current fiscal year. Compliance with this section is not met unless a line-item appropriation name is included in all places that a line-item appropriation number is listed. The spending plan shall include the following information regarding planned expenditures for each category: allocation in the previous period, change in the allocation, and new allocation. The spending plan shall include the following information regarding each revenue source for the line item: category of the fund source indicated by general fund/general purpose, state restricted, local, private or federal. Figures included in the approved spending plan shall not be assumed to constitute the actual final expenditures, as line items may be updated on an as-needed basis to reflect changes in projected expenditures and projected revenue. The department shall supplement the spending plan information by providing a list of all active contracts and grants in the department's contract system. For amounts listed in the other contracts category of each spending plan, the department shall provide a list of all contracts and grants and amounts for the current fiscal year, and include the name of the line item and the name of the fund source related to each contract or grant and amount. For amounts listed in the all other costs category of each spending plan, the department shall provide a list detailing planned expenditures and amounts for the current fiscal year, and include the name of the line item and the name of the fund source related to each amount and expenditure.

(2) Notwithstanding any other appropriation authority granted in part 1, the department shall not appropriate any additional general fund/general purpose funds or any related federal and state restricted funds without providing a written 30-day notice to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices.

Sec. 233. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 234. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 235. Any coronavirus relief funds appropriated in part 1 for which expenditures have not been incurred as of December 30, 2020 are unappropriated and immediately reappropriated for deposit into the unemployment compensation fund established under section 26 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.26, to support costs incurred from March 1, 2020 through December 30, 2020 due to the COVID-19 public health emergency.

Sec. 240. Appropriations in part 1 shall, to the extent possible by the department, not be expended in cases where existing work project authorization is available for the same expenditures.

Sec. 251. On a monthly basis, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office on any line-item appropriation for which the department estimates total annual expenditures would exceed the funds appropriated for that line-item appropriation by 5% or more. The department shall provide a detailed explanation for any relevant line-item appropriation exceedance and shall identify the corrective actions undertaken to mitigate line-item appropriation expenditures from exceeding the funds appropriated for that line-item appropriation by a greater amount. This section does not apply for line-item appropriations that are part of the May revenue estimating conference caseload and expenditure estimates.

Sec. 252. The appropriations in part 1 for Healthy Michigan plan - behavioral health, Healthy Michigan plan administration, and Healthy Michigan plan are contingent on the provisions of the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, that were contained in 2013 PA 107 not being amended, repealed, or otherwise altered to eliminate the Healthy Michigan plan. If that occurs, then, upon the effective date of the amendatory act that amends, repeals, or otherwise alters those provisions, the remaining funds in the Healthy Michigan plan - behavioral health, Healthy Michigan plan administration, and Healthy Michigan plan line items shall only be used to pay previously incurred costs and any remaining appropriations shall not be allotted to support those line items.

Sec. 253. (1) From the funds appropriated in part 1 for any information technology system or project, the department shall implement an agile software development plan that is funded with a time and materials contract.

(2) The state shall be the owner of software described in subsection (1) or it shall be committed to the public domain.

(3) The department shall choose a product owner that will implement a user-centered design that includes user stories into the development of any information technology system. The product owner must be an employee of the department who has specific work experience relevant to the information technology system or project.

(4) At the commencement of the project, the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office on the individual who has been chosen as the product owner.

(5) For any expenditures associated with the development of systems or projects subject to subsections (1), (2), (3), and (4), the department shall provide updates as requested by the chairs of the house and senate appropriations committees or the chairs of the house and senate appropriations subcommittees on the department budget. Information updates provided by the department, upon request, shall also be accessible to the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on the status of the work completed to date. The updates shall include demonstrations of the completed work during the sprint period. During these demonstrations, the department shall provide a quality assessment surveillance plan as shown in appendix B of "De-risking custom technology projects" from the United States General Services Administration. At each demonstration, the department shall validate which user stories have been included into the software development and the remaining user stories that will be included into the product.

(6) As used in this section:

(a) "Agile software development" means the use of development methodologies using iterative development with work completed by cross-functional teams of software development.

(b) "Product owner" means a department employee who iteratively prioritizes and defines the work for the product team, works with users, stakeholders, technologists, and the software vendor to envision the direction for the product, and ensures that value is being delivered to end users as quickly as possible.

(c) "User centered design" means software development that places the highest priority on the needs of the specific people who are expected to use the software.

(d) "User stories" means a task that the agile software development team will focus on over a given 2-week development period and includes clearly labeled progress towards meeting the needs of the end users.

Sec. 256. The department may, in consultation with the Michigan department of education, the Michigan domestic and sexual violence prevention and treatment board, and the Michigan Coalition to End Domestic and Sexual Violence, redraft the curriculum for the "Growing Up & Staying Healthy" and "Healthy & Responsible Relationships" modules to include age-appropriate information about the importance of consent, setting and respecting personal boundaries, and the prevention of child sexual abuse as outlined in MCL 380.1505 and consistent with the recommendations and guidelines set by the task force on the prevention of sexual abuse of children created under section 12b of the child protection law, 1975 PA 238, MCL 722.632b, and the prevention of sexual assault and dating violence.

Sec. 258. In collaboration with the department of education, the department shall promote and support initiatives in schools and other educational organizations that include, but are not limited to, training for educators, teachers, and other personnel in school settings for all of the following:

(a) The utilization of trauma-informed practices.

(b) Age-appropriate education and information on human trafficking.

(c) Age-appropriate education and information on sexual abuse prevention.

Sec. 263. (1) Except as otherwise provided in this subsection, before submission of a waiver, a state plan amendment, or a similar proposal to CMS or other federal agency, the department shall provide written notification of the planned submission to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies and policy offices, and the state budget office. This subsection does not apply to the submission of a waiver, a state plan amendment, or similar proposal that does not propose a material change or is outside of the ordinary course of waiver, state plan amendment, or similar proposed submissions.

(2) The department shall provide written reports on a semiannual basis to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office summarizing the status of any new or ongoing discussions with CMS or the United States Department of Health and Human Services or other federal agency regarding potential or future waiver applications as well as the status of submitted waivers that have not yet received federal approval. If, at the time a semiannual report is due, there are no reportable items, then no report is required to be provided.

Sec. 264. The department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the legislature or his or her staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 270. The department shall advise the legislature of the receipt of a notification from the attorney general's office of a legal action in which expenses had been recovered according to section 106(6) of the social welfare act, 1939 PA 280, MCL 400.106. By February 1 of the current fiscal year, the department shall submit a written report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office that includes, at a minimum, all of the following:

(a) The total amount recovered from the legal action.

(b) The program or service for which the money was originally expended.

(c) Details on the disposition of the funds recovered such as the appropriation or revenue account in which the money was deposited.

(d) A description of the facts involved in the legal action.

Sec. 274. (1) The department, in collaboration with the state budget office, shall submit to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices 1 week after the day the governor submits to the legislature the budget for the ensuing fiscal year a report on spending and revenue projections for each of the capped federal funds listed below. The report shall contain actual spending and revenue in the previous fiscal year, spending and revenue projections for the current fiscal year as enacted, and spending and revenue projections within the executive budget proposal for the fiscal year beginning October 1, 2021 for each individual line item for the department budget. The report shall also include federal funds transferred to other departments. The capped federal funds shall include, but not be limited to, all of the following:

(a) TANF.

(b) Title XX social services block grant.

(c) Title IV-B part I child welfare services block grant.

(d) Title IV-B part II promoting safe and stable families funds.

(e) Low-income home energy assistance program.

(2) It is the intent of the legislature that the department, in collaboration with the state budget office, not utilize capped federal funding for economics adjustments for FTEs or other economics costs that are included as part of the budget submitted to the legislature by the governor for the ensuing fiscal year, unless there is a reasonable expectation for increased federal funding to be available to the department from that capped revenue source in the ensuing fiscal year.

(3) By February 15 of the current fiscal year, the department shall prepare an annual report of its efforts to identify TANF maintenance of effort sources and rationale for any increases or decreases from all of the following, but not limited to:

(a) Other departments.

(b) Local units of government.

(c) Private sources.

Sec. 275. (1) On a quarterly basis, the department, with the approval of the state budget director, is authorized to realign sources between other federal, TANF, and capped federal financing authorizations in order to maximize federal revenues. This realignment of financing shall not produce a gross increase or decrease in the department's total individual line item authorizations, nor will it produce a net increase or decrease in total federal revenues, or a net increase in TANF authorization.

(2) On a quarterly basis the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices on the realignment of federal fund sources transacted to date in the current fiscal year under the authority of subsection (1), including the dates, line items, and amounts of the transactions.

(3) Within 30 days after the date on which year-end book closing is completed, the department shall submit to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices a report on the realignment of federal fund sources that took place as part of the year-end closing process for the previous fiscal year.

Sec. 280. By March 1 of the current fiscal year, the department shall provide a report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget director that provides all of the following for each line item in part 1 containing personnel-related costs, including the specific individual amounts for salaries and wages, payroll taxes, and fringe benefits:

(a) FTE authorization.

(b) Spending authorization for personnel-related costs, by fund source, under the spending plan.

(c) Actual year-to-date expenditures for personnel-related costs, by fund source, through the end of the prior month.

(d) The projected year-end balance or shortfall for personnel-related costs, by fund source, based on actual monthly spending levels through the end of the prior month.

(e) A specific plan for addressing any projected shortfall for personnel-related costs at either the gross or fund source level.

Sec. 281. (1) No later than November 1 of the current fiscal year, the department shall do all of the following:

(a) Certify in writing to the senate and house appropriations committees that the department has received certification from Great Lakes Community Engagement that Great Lakes Community Engagement has destroyed all copies of data received or collected under the Data Use and Non-Disclosure Agreement Concerning Protected Health Information or Other Confidential Information between the department and Great Lakes Community Engagement, dated on or about April 14, 2020.

(b) Provide a copy to the senate and house appropriations committees of the affidavit of destruction from Great Lakes Community Engagement pursuant to the agreement described in subdivision (a), or, if the department has not received an affidavit of destruction from Great Lakes Community Engagement, certify in writing to the senate and house appropriations committees that the department has not received such affidavit of destruction from Great Lakes Community Engagement.

(c) Certify in writing to the senate and house appropriations committees that no patient identifiable data or personally identifiable information for the purposes of contact tracing was sent to Great Lakes Community Engagement, Michigan Public Health Institute; or EveryAction VAN.

(2) The appropriations in section 102 in part 1 are contingent on compliance with the requirements described in subsection (1).

Sec. 288. (1) Beginning October 1 of the current fiscal year, no less than 90% of a new department contract supported solely from state restricted funds or general fund/general purpose funds and designated in this part or part 1 for a specific entity for the purpose of providing services to individuals shall be expended for such services after the first year of the contract.

(2) The department may allow a contract to exceed the limitation on administrative and services costs if it can be demonstrated that an exception should be made to the provision in subsection (1).

(3) By September 30 of the current fiscal year, the department shall report to the house and senate appropriations subcommittees on the department budget, house and senate fiscal agencies, and state budget office on the rationale for all exceptions made to the provision in subsection (1) and the number of contracts terminated due to violations of subsection (1).

Sec. 289. By March 1 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices an annual report on the supervisor-to-staff ratio by department divisions and subdivisions.

Sec. 290. Any public advertisement for public assistance shall also inform the public of the welfare fraud hotline operated by the department.

Sec. 295. (1) From the funds appropriated in part 1 to agencies providing physical and behavioral health services to multicultural populations, the department shall award grants in accordance with the requirements of subsection (2). The state is not liable for any spending above the contract amount. Funds shall not be released until reporting requirements under section 295 of 2019 PA 67 are satisfied.

(2) The department shall require each contractor described in subsection (1) that receives greater than $1,000,000.00 in state grant funding to comply with performance-related metrics to maintain their eligibility for funding. The organizational metrics shall include, but not be limited to, all of the following:

(a) Each contractor or subcontractor shall have accreditations that attest to their competency and effectiveness as behavioral health and social service agencies.

(b) Each contractor or subcontractor shall have a mission that is consistent with the purpose of the multicultural agency.

(c) Each contractor shall validate that any subcontractors utilized within these appropriations share the same mission as the lead agency receiving funding.

(d) Each contractor or subcontractor shall demonstrate cost-effectiveness.

(e) Each contractor or subcontractor shall ensure their ability to leverage private dollars to strengthen and maximize service provision.

(f) Each contractor or subcontractor shall provide timely and accurate reports regarding the number of clients served, units of service provision, and ability to meet their stated goals.

(3) The department shall require an annual report from the contractors described in subsection (2). The annual report, due 60 days following the end of the contract period, shall include specific information on services and programs provided, the client base to which the services and programs were provided, information on any wraparound services provided, and the expenditures for those services. The department shall provide the annual reports to the senate and house appropriations subcommittees on health and human services, the senate and house fiscal agencies, and the state budget office.

Sec. 296. From the funds appropriated in part 1, the department to the extent permissible under MCL 691.1408 is responsible for the necessary and reasonable attorney fees and costs incurred by private and independent legal counsel chosen by current and former classified and unclassified department employees in the defense of the employees in any state or federal lawsuit or investigation related to the water system in a city or community in which a declaration of emergency was issued because of drinking water contamination.

Sec. 297. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 299. (1) No state department or agency shall issue a request for proposal (RFP) for a contract in excess of $5,000,000.00, unless the department or agency has first considered issuing a request for information (RFI) or a request for qualification (RFQ) relative to that contract to better enable the department or agency to learn more about the market for the products or services that are the subject of the RFP. The department or agency shall notify the department of technology, management, and budget of the evaluation process used to determine if an RFI or RFQ was not necessary prior to issuing the RFP.

(2) From funds appropriated in part 1, for all RFPs issued during the current fiscal year where an existing service received proposals by multiple vendors, the department shall notify all vendors within 30 days of the RFP decision. The notification to vendors shall include details on the RFP process, including the respective RFP scores and the respective cost for each vendor. If the highest scored RFP or lowest cost RFP does not receive the contract for an existing service offered by the department, the notification shall issue an explanation for the reasons that the highest scored RFP or lowest cost RFP did not receive the contract and detail the incremental cost target amount or service level required that was required to migrate the service to a new vendor. Additionally, the department shall include in the notification details as to why a cost or service difference is justifiable if the highest scored or lowest cost vendor does not receive the contract.

(3) The department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office by September 30 of the current fiscal year, a report that includes the following:

(a) A summary of all RFPs issued for a contract in excess of $5,000,000.00 including whether an RFI or RFQ was considered, and whether an RFI or RFQ was issued before issuing the RFP or whether the issuance of an RFI or RFQ was determined not to be necessary.

(b) A summary of all RFPs during the current fiscal year if an existing service received proposals by multiple vendors.

(c) A list of all finalized RFPs if there was a divergence from awarding the contract to the lowest-cost or highest-scoring vendor, and details as to why a divergence is justifiable as provided in the notification to vendors under subsection (2).

(d) The cost or service threshold required by department policy that must be satisfied in order for an existing contract to be received by a new vendor.

DEPARTMENTAL ADMINISTRATION AND SUPPORT

Sec. 307. (1) From the funds appropriated in part 1 for demonstration projects, $950,000.00 shall be distributed as provided in subsection (2). The amount distributed under this subsection shall not exceed 50% of the total operating expenses of the program described in subsection (2), with the remaining 50% paid by local United Way organizations and other nonprofit organizations and foundations.

(2) Funds distributed under subsection (1) shall be distributed to Michigan 2-1-1, a nonprofit corporation organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, and whose mission is to coordinate and support a statewide 2-1-1 system. Michigan 2-1-1 shall use the funds only to fulfill the Michigan 2-1-1 business plan adopted by Michigan 2-1-1 in January 2005.

(3) Michigan 2-1-1 shall refer to the department any calls received reporting fraud, waste, or abuse of state-administered public assistance.

(4) Michigan 2-1-1 shall report annually to the department and the house and senate standing committees with primary jurisdiction over matters relating to human services and telecommunications on 2-1-1 system performance, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies, including, but not limited to, call volume by health and human service needs and unmet needs identified through caller data and number and percentage of callers referred to public or private provider types.

Sec. 309. By April 1 of the current fiscal year the department, in consultation with stakeholders, shall design a demonstration project to implement web-based intensive information therapy within the Medicaid managed care program. The purpose of this demonstration project shall be to connect health care providers, beneficiaries, and Medicaid health plans for the purpose of addressing deficiencies in health literacy and its potential impact on a beneficiary's health disparities, care compliance, health outcomes per capita expenditures, and per capita utilization.

Sec. 316. From the funds appropriated in part 1 for terminal leave payments, the department shall not spend in excess of its annual gross appropriation unless it identifies and requests a legislative transfer from another budgetary line item supporting administrative costs, as provided by section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

CHILD SUPPORT ENFORCEMENT

Sec. 401. (1) The appropriations in part 1 assume a total federal child support incentive payment of $26,000,000.00.

(2) From the federal money received for child support incentive payments, $11,500,000.00 shall be retained by the state and expended for child support program expenses.

(3) From the federal money received for child support incentive payments, $14,500,000.00 shall be paid to the counties based on each county's performance level for each of the federal performance measures as established in 45 CFR 305.2.

(4) If the child support incentive payment to the state from the federal government is greater than $26,000,000.00, then 100% of the excess shall be retained by the state and is appropriated until the total retained by the state reaches $15,397,400.00.

(5) If the child support incentive payment to the state from the federal government is greater than the amount needed to satisfy the provisions identified in subsections (1), (2), (3), and (4), the additional funds shall be subject to appropriation by the legislature.

(6) If the child support incentive payment to the state from the federal government is less than $26,000,000.00, then the state and county share shall each be reduced by 50% of the shortfall.

Sec. 409. (1) If statewide retained child support collections exceed $38,300,000.00, 75% of the amount in excess of $38,300,000.00 is appropriated to legal support contracts. This excess appropriation may be distributed to eligible counties to supplement and not supplant county title IV-D funding.

(2) Each county whose retained child support collections in the current fiscal year exceed its fiscal year 2004-2005 retained child support collections, excluding tax offset and financial institution data match collections in both the current fiscal year and fiscal year 2004-2005, shall receive its proportional share of the 75% excess.

Sec. 410. (1) If title IV-D-related child support collections are escheated, the state budget director is authorized to adjust the sources of financing for the funds appropriated in part 1 for legal support contracts to reduce federal authorization by 66% of the escheated amount and increase general fund/general purpose authorization by the same amount. This budget adjustment is required to offset the loss of federal revenue due to the escheated amount being counted as title IV-D program income in accordance with federal regulations at 45 CFR 304.50.

(2) The department shall notify the chairs of the house and senate appropriations subcommittees on the department budget and the house and senate fiscal agencies within 15 days of the authorization adjustment in subsection (1).

COMMUNITY SERVICES AND OUTREACH

Sec. 450. (1) From the funds appropriated in part 1 for school success partnership program, the department shall allocate $525,000.00 of TANF revenue by December 1 of the current fiscal year to support the Northeast Michigan Community Service Agency programming. The department shall require the following performance objectives be measured and reported for the duration of the state funding for the school success partnership program:

(a) Increasing school attendance and decreasing chronic absenteeism.

(b) Increasing academic performance based on grades with emphasis on math and reading.

(c) Identifying barriers to attendance and success and connecting families with resources to reduce these barriers.

(d) Increasing parent involvement with the parent's child's school and community.

(2) By July 15 of the current fiscal year, the Northeast Michigan Community Service Agency shall provide reports to the department on the number of children and families served and the services that were provided to families to meet the performance objectives identified in this section. The department shall distribute the reports within 1 week after receipt to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office.

Sec. 452. From the funds appropriated in part 1 for crime victim justice assistance grants, the department shall continue to support forensic nurse examiner programs to facilitate training for improved evidence collection for the prosecution of sexual assault. The funds shall be used for program coordination and training.

Sec. 453. (1) From the funds appropriated in part 1 for homeless programs, the department shall maintain emergency shelter program per diem rates at $18.00 per bed night to support efforts of shelter providers to move homeless individuals and households into permanent housing as quickly as possible. Expected outcomes are increased shelter discharges to stable housing destinations, decreased recidivism rates for shelter clients, and a reduction in the average length of stay in emergency shelters.

(2) By March 1 of the current fiscal year, the department shall submit to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office a report on the total amount expended for the program in the previous year, as well as the total number of shelter nights provided and the average length of stay in an emergency shelter.

Sec. 454. The department shall allocate the full amount of funds appropriated in part 1 for homeless programs to provide services for homeless individuals and families, including, but not limited to, third-party contracts for emergency shelter services.

Sec. 455. As a condition of receipt of federal TANF revenue, homeless shelters and human services agencies shall collaborate with the department to obtain necessary TANF eligibility information on families as soon as possible after admitting a family to the homeless shelter. From the funds appropriated in part 1 for homeless programs, the department is authorized to make allocations of TANF revenue only to the homeless shelters and human services agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements. Homeless shelters or human services agencies that do not report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements will not receive reimbursements that exceed the per diem amount they received in fiscal year 2000. The use of TANF revenue under this section is not an ongoing commitment of funding.

Sec. 456. From the funds appropriated in part 1 for homeless programs, the department shall allocate $90,000.00 to reimburse public service agencies that provide documentation of paying birth certificate fees on behalf of category 1 homeless clients at county clerk's offices. Public service agencies shall be reimbursed for the cost of the birth certificate fees quarterly until this allocation is fully spent.

Sec. 457. (1) From the funds appropriated in part 1 for the uniform statewide sexual assault evidence kit tracking system, in accordance with the final report of the Michigan sexual assault evidence kit tracking and reporting commission, $800,000.00 is allocated from the sexual assault evidence tracking fund to contract for the administration of a uniform statewide sexual assault evidence kit tracking system. The system shall include the following:

(a) A uniform statewide system to track the submission and status of sexual assault evidence kits.

(b) A uniform statewide system to audit untested kits that were collected on or before March 1, 2015 and were released by victims to law enforcement.

(c) Secure electronic access for victims.

(d) The ability to accommodate concurrent data entry with kit collection through various mechanisms, including web entry through computer or smartphone, and through scanning devices.

(2) By March 30 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a status report on the administration of the uniform statewide sexual assault evidence kit tracking system, including operational status and any known issues regarding implementation.

(3) The sexual assault evidence tracking fund established in section 1451 of 2017 PA 158 shall continue to be maintained in the department of treasury. Money in the sexual assault evidence tracking fund at the close of a fiscal year shall remain in the sexual assault evidence tracking fund and shall not revert to the general fund and shall be appropriated as provided by law for the development and implementation of a uniform statewide sexual assault evidence kit tracking system as described in subsection (1).

(4) By September 30 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a report on the findings of the annual audit of the proper

submission of sexual assault evidence kits as required by the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935. The report must include, but is not limited to, a detailed county-by-county compilation of the number of sexual assault evidence kits that were properly submitted and the number that met or did not meet deadlines established in the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935, the number of sexual assault evidence kits retrieved by law enforcement after analysis, and the physical location of all released sexual assault evidence kits collected by health care providers in that year, as of the date of the annual draft report for each reporting agency.

Sec. 458. From the funds appropriated in part 1 for crime victim rights services grants, the department shall allocate $2,000,000.00 of crime victim's rights fund to maintain increased grant funding to support the further use of crime victim advocates in the criminal justice system. The purpose of the additional funding is to increase available grant funding for crime victim advocates to ensure that the advocates have the resources, training, and funding needed to respond to the physical and emotional needs of crime victims and to provide victims with the necessary services, information, and assistance in order to help them understand and participate in the criminal justice system and experience a measure of safety and security throughout the legal process.

Sec. 459. From the funds appropriated in part 1 for child advocacy centers, the department shall allocate $1,000,000.00 to provide additional funding to child advocacy centers to support the general operations of child advocacy centers. The purpose of this additional funding is to increase the amount of services provided to children and their families who are victims of abuse over the amount provided in the previous fiscal year. None of the additional funding directed in this section shall be used for purposes other than those described under section 4 of the children's advocacy center act, 2008 PA 544, MCL 722.1044.

Sec. 461. (1) From the funds appropriated in part 1 for runaway and homeless youth grants, the department shall maintain the recent $500,000.00 state general fund/general purpose revenue increase to funding to support the runaway and homeless youth services program. The purpose of the additional funding is to support current programs for contracted providers that provide emergency shelter and services to homeless and runaway youth.

(2) From the funds appropriated in part 1 for runaway and homeless youth grants, the department shall allocate $400,000.00 to support runaway and homeless youth services programs. The purpose of the additional funding is to support current programs for contracted providers that provide emergency shelter and services to homeless and runaway youth.

(3) By March 1 of the current fiscal year, the department shall submit to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office a report on the total amount expended for runaway and homeless youth services programs in the previous year, as well as the total number of shelter nights for youth provided.

Sec. 462. (1) If funding becomes available from the funds appropriated in part 1 for crime victim justice assistance grants, the department shall allocate $4,000,000.00 to implement 4 trauma recovery center program pilot projects. The pilot projects shall utilize the evidence-informed integrated trauma recovery services model developed by the University of California - San Francisco for service provision and shall be located in a city with a population between 52,300 and 55,000 according to the most recent federal decennial census, in a city with a population between 100,000 and 105,000 according to the most recent federal decennial census, in a city with a population between 150,000 and 200,000 according to the most recent federal decennial census, and in a city with a population greater than 500,000 according to the most recent federal decennial census.

(2) It is the intent of the legislature that each pilot project shall be designed to last at least 3 years.

(3) If funding becomes available, by March 1 of the current fiscal year, the department shall report to the senate and house subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on all of the following:

(a) The number of participants by pilot project site.

(b) The number of participants by crime type, broken down by pilot project site.

(c) The number of direct service providers by pilot project site.

(d) The number of direct services provided, broken down by type of service and by pilot project site.

(e) The administrative costs by pilot project site.

(f) The average length of service provision by pilot project site.

(g) The average length of service provision, broken down by type of service and by pilot project site.

(h) The average cost per participant by pilot project site.

CHILDREN'S SERVICES AGENCY - CHILD WELFARE

Sec. 501. (1) A goal is established that not more than 25% of all children in foster care at any given time during the current fiscal year, if in the best interest of the child, will have been in foster care for 24 months or more.

(2) By March 1 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a report describing the steps that will be taken to achieve the specific goal established in this section and on the percentage of children who currently are in foster care and who have been in foster care a total of 24 or more months.

Sec. 502. From the funds appropriated in part 1 for foster care, the department shall provide 50% reimbursement to Indian tribal governments for foster care expenditures for children who are under the jurisdiction of Indian tribal courts and who are not otherwise eligible for federal foster care cost sharing.

Sec. 503. (1) In accordance with the final report of the Michigan child welfare performance-based funding task force issued in response to section 503 of article X of 2013 PA 59, the department shall continue to review, update, or develop actuarially sound case rates for necessary child welfare foster care case management services that achieve permanency by the department and private child placing agencies in a prospective payment system under a performance-based funding model.

(2) From the funds appropriated in part 1, by March 1 of the current fiscal year, the department shall allocate $250,000.00 to provide to the senate and house appropriations committees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office a report on a full cost analysis to provide annual actuarially sound rates for foster care child placing agency administrative rates and child caring institution residential rates. The report shall include, but not be limited to, all rate factors necessary for consideration and shall give estimates on the cost to implement actuarially sound rates based on actual child welfare data.

(3) In accordance with the final report of the Michigan child welfare performance-based funding task force issued in response to section 503 of article X of 2013 PA 59, the department shall continue an independent, third-party evaluation of the performance-based funding model.

(4) The department shall only implement the performance-based funding model into additional counties where the department, private child welfare agencies, the county, and the court operating within that county have signed a memorandum of understanding that incorporates the intentions of the concerned parties in order to implement the performance-based funding model.

(5) The department, in conjunction with members from both the house of representatives and senate, private child placing agencies, the courts, and counties shall continue to implement the recommendations that are described in the workgroup report that was provided in section 503 of article X of 2013 PA 59 to establish a performance-based funding for public and private child welfare services providers. The department shall provide quarterly reports on the status of the performance-based contracting model to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on families and human services, and the senate and house fiscal agencies and policy offices.

(6) From the funds appropriated in part 1 for the performance-based funding model pilot, the department shall continue to work with the West Michigan Partnership for Children Consortium on the implementation of the performance-based funding model pilot. The consortium shall accept and comprehensively assess referred youth, assign cases to members of its continuum or leverage services from other entities, and make appropriate case management decisions during the duration of a case. The consortium shall operate an integrated continuum of care structure, with services provided by both private and public agencies, based on individual case needs. The consortium shall demonstrate significant organizational capacity and competencies, including experience with managing risk-based contracts, financial strength, experienced staff and leadership, and appropriate governance structure.

Sec. 504. (1) From the funds appropriated in part 1, the department shall continue the master agreement with the West Michigan Partnership for Children Consortium for the fourth year of the planned 5-year agreement to pilot a performance-based child welfare contracting pilot program. The consortium shall consist of a network of affiliated child welfare service providers that will accept and comprehensively assess referred youth, assign cases to members of its continuum or leverage services from other entities, and make appropriate case management decisions during the duration of a case.

(2) As a condition for receiving the funding in part 1, the West Michigan Partnership of Children Consortium shall maintain a revised contract agreement with the department that supports the transition to a global capitated payment model. The capitated payment amount shall be based on historical averages of the number of children served in Kent County and for the costs per foster care case. The West Michigan Partnership for Children Consortium is required to manage the cost of the child population it serves. The capitated payment amount shall be reviewed and adjusted no less than twice during the current fiscal year or due to any policy changes implemented by the department that result in a volume of placements that differ in a statistically significant manner from the amount allocated in the annual contract between the department and the West Michigan Partnership for Children as determined by an independent actuary as well as to

account for changes in case volumes and any statewide rate increases that are implemented. The contract agreement requires that the West Michigan Partnership for Children Consortium shall maintain the following stipulations and conditions:

(a) That the service component of the capitated payment will be calculated assuming rates paid to providers under the pilot program are generally consistent with the department's payment policies for providers throughout the rest of this state.

(b) To maintain a risk reserve of at least $1,500,000.00 to ensure it can meet unanticipated expenses within a given fiscal year.

(c) That until the risk reserve is established, the West Michigan Partnership for Children Consortium shall submit to the department a plan for how they will manage expenses to fit within their capitated payment revenue. The department shall review and approve any new investments in provider payments above statewide rates and norms to ensure they are supported by offsetting savings so that costs remain within available revenue.

(d) To cooperate with the department on an independent fiscal analysis of costs incurred and revenues received during the course of the pilot program to date.

(3) By March 1 of the current fiscal year, the consortium shall provide to the department and the house and senate appropriations subcommittees on the department budget a report on the consortium, including, but not limited to, actual expenditures, number of children placed by agencies in the consortium, fund balance of the consortium, and the outcomes measured.

Sec. 505. By March 1 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office a report for youth referred or committed to the department for care or supervision in the previous fiscal year and in the first quarter of the current fiscal year outlining the number of youth served by the department within the juvenile justice system, the type of setting for each youth, performance outcomes, and financial costs or savings.

Sec. 506. From the funds appropriated in part 1 for attorney general contract, by March 1 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office, a report on the juvenile justice system in any county in which funds appropriated in part 1 are expended. The report shall include, but not be limited to, the following:

(a) The number of youth referred or committed to the department for care or supervision in the previous fiscal year and in the first quarter of the current fiscal year.

(b) The number of youth referred or committed to the care or supervision of the county in which funds appropriated in part 1 were expended for the previous fiscal year and the first quarter of the current fiscal year.

(c) The type of setting for each youth referred or committed for care or supervision, any applicable performance outcomes, and identified financial costs or savings.

Sec. 507. The department's ability to satisfy appropriation deducts in part 1 for foster care private collections shall not be limited to collections and accruals pertaining to services provided only in the current fiscal year but may include revenues collected during the current fiscal year for services provided in prior fiscal years.

Sec. 508. (1) In addition to the amount appropriated in part 1 for children's trust fund grants, money granted or money received as gifts or donations to the children's trust fund created by 1982 PA 249, MCL 21.171 to 21.172, is appropriated for expenditure.

(2) For the funds described in subsection (1), the department shall ensure that administrative delays are avoided and the local grant recipients and direct service providers receive money in an expeditious manner. The department and board shall make available the children's trust fund contract funds to grantees within 31 days of the start date of the funded project.

Sec. 509. By October 1 of the current fiscal year, from the funds appropriated in part 1 for adoption support services, $1,000,000.00 and any eligible federal matching funds shall be allocated to increase contracted rates paid to private child placing agencies for adoption placement rates.

Sec. 511. The department shall provide reports on a semiannual basis to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on families and human services, and the senate and house fiscal agencies and policy offices on the number and percentage of children who received timely physical and mental health examinations after entry into foster care. The goal of the program is that at least 85% of children shall have an initial medical and mental health examination within 30 days after entry into foster care.

Sec. 512. As required by the settlement, by March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the following information for cases of child abuse or child neglect from the previous fiscal year:

(a) The total number of relative care placements.

(b) The total number of relatives with a placement who became licensed.

(c) A list of the reasons from a sample of cases where relatives were denied foster home licensure as documented by the department.

Sec. 513. (1) The department shall not expend funds appropriated in part 1 to pay for the direct placement by the department of a child in an out-of-state facility unless all of the following conditions are met:

(a) There is no appropriate placement available in this state as determined by the department interstate compact office.

(b) An out-of-state placement exists that is nearer to the child's home than the closest appropriate in-state placement as determined by the department interstate compact office.

(c) The out-of-state facility meets all of the licensing standards of this state for a comparable facility.

(d) The out-of-state facility meets all of the applicable licensing standards of the state in which it is located.

(e) The department has done an on-site visit to the out-of-state facility, reviewed the facility records, reviewed licensing records and reports on the facility, and believes that the facility is an appropriate placement for the child.

(2) The department shall not expend money for a child placed in an out-of-state facility without approval of the executive director of the children's services agency.

(3) The department shall submit an annual report by March 1 of the current fiscal year to the state court administrative office, the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on the number of Michigan children residing in out-of-state facilities in the previous fiscal year and shall include the total cost and average per diem cost of these out-of-state placements to this state, and a list of each such placement arranged by the Michigan county of residence for each child.

Sec. 514. The department shall make a comprehensive report concerning children's protective services (CPS) to the legislature, including the senate and house policy offices and the state budget director, by March 1 of the current fiscal year, that shall include all of the following:

(a) Statistical information including, but not limited to, all of the following:

(*i*) The total number of reports of child abuse or child neglect investigated under the child protection law, 1975 PA 238, MCL 722.621 to 722.638, and the number of cases classified under category I or category II and the number of cases classified under category III, category IV, or category V.

(*ii*) Characteristics of perpetrators of child abuse or child neglect and the child victims, such as age, relationship, race, and ethnicity and whether the perpetrator exposed the child victim to drug activity, including the manufacture of illicit drugs, that exposed the child victim to substance abuse, a drug house, or methamphetamine.

(*iii*) The mandatory reporter category in which the individual who made the report fits, or other categorization if the individual is not within a group required to report under the child protection law, 1975 PA 238, MCL 722.621 to 722.638.

(*iv*) The number of cases that resulted in the separation of the child from the parent or guardian and the period of time of that separation, up to and including termination of parental rights.

(*v*) For the reported complaints of child abuse or child neglect by teachers, school administrators, and school counselors, the number of cases classified under category I or category II and the number of cases classified under category III, category IV, or category V.

(*vi*) For the reported complaints of child abuse or child neglect by teachers, school administrators, and school counselors, the number of cases that resulted in separation of the child from the parent or guardian and the period of time of that separation, up to and including termination of parental rights.

(b) New policies related to children's protective services including, but not limited to, major policy changes and court decisions affecting the children's protective services system during the immediately preceding 12-month period. The report shall also include a summary of the actions undertaken and applicable expenditures to achieve compliance with the office of the auditor general audit number 431-1285-16.

(c) Statistical information regarding families that were classified in category III, including, but not limited to, all of the following:

(*i*) The total number of cases classified in category III.

(*ii*) The number of cases in category III referred to voluntary community services and closed with no additional monitoring.

(*iii*) The number of cases in category III referred to voluntary community services and monitored for up to 90 days.

(*iv*) The number of cases in category III for which the department entered more than 1 determination that there was evidence of child abuse or child neglect.

(*v*) The number of cases in category III that the department reclassified from category III to category II.

(*vi*) The number of cases in category III that the department reclassified from category III to category I.

(*vii*) The number of cases in category III that the department reclassified from category III to category I that resulted in a removal.

(d) Statistical information regarding category III open/close policy including the number of cases that were open/closed, the number of cases that were opened for monitoring, and the 12-month recidivism rate for both.

(e) The department policy, or changes to the department policy, regarding children who have been exposed to the production or manufacture of methamphetamines.

Sec. 515. If a child protection services caseworker requests approval for another child protection services caseworker or other department employee to accompany them on a home visit because the caseworker believes it would be unsafe to conduct the home visit alone, the department shall not deny the request.

Sec. 516. From funds appropriated in part 1 for child care fund, the administrative or indirect cost payment equal to 10% of a county's total monthly gross expenditures shall be distributed to the county on a monthly basis and a county is not required to submit documentation to the department for any of the expenditures that are covered under the 10% payment as described in section 117a(4)(b)(*ii*) and (*iv*) of the social welfare act, 1939 PA 280, MCL 400.117a.

Sec. 517. The department shall retain the same title IV-E appeals policy in place as of the fiscal year ending September 30, 2017.

Sec. 518. Supervisors must make an initial read of a caseworker's report on a child abuse or child neglect investigation and note any corrections required, or approve the report, within 5 business days. The caseworker must resubmit a report that needs corrections within 3 business days.

Sec. 519. The department shall permit any private agency that has an existing contract with this state to provide foster care services to be also eligible to provide treatment foster care services.

Sec. 520. (1) The department shall submit a report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office by February 15 of the current fiscal year on the number of days of care and expenditures by funding source for the previous fiscal year for out-of-home placements by specific placement programs for child abuse or child neglect and juvenile justice, including, but not limited to, paid relative placement, department direct family foster care, private agency supervised foster care, private child caring institutions, county-supervised facilities, court-supervised facilities, and independent living. The report shall also include the number of days of care for department-operated residential juvenile justice facilities by security classification.

(2) For the purposes of the report in subsection (1), living arrangements include, but are not limited to, paid relative placement, department direct family foster care, private agency supervised foster care, private child caring institutions, county-supervised facilities, court-supervised facilities, and independent living.

Sec. 521. (1) From the funds appropriated in part 1 for child care fund – indirect cost allotment, the department shall allocate $3,500,000.00 to counties and tribal governments that receive reimbursements in part 1 from child care fund.

(2) The amount described in subsection (1) shall be distributed to each county or tribal government in the same proportion as indirect cost allotments are provided to counties in the manner described in section 117a of the social welfare act, 1939 PA 280, MCL 400.117a.

Sec. 522. (1) From the funds appropriated in part 1 for youth in transition, the department shall allocate $750,000.00 for scholarships through the fostering futures scholarship program in the Michigan education trust to youths who were in foster care because of child abuse or child neglect and are attending a college or a career technical educational institution located in this state. Of the funds appropriated, 100% shall be used to fund scholarships for the youths described in this section.

(2) On a semiannual basis, the department shall provide a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office that includes the number of youths who received scholarships and the amount of each scholarship, and the total amount of funds spent or encumbered in the current fiscal year.

Sec. 523. (1) By February 15 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a report on the families first, family reunification, and families together building solutions family preservation programs. The report shall provide population and

outcome data based on contractually required follow-up evaluations for families who received family preservation services and shall include information for each program on any innovations that may increase child safety and risk reduction.

(2) From the funds appropriated in part 1 for youth in transition and domestic violence prevention and treatment, the department is authorized to make allocations of TANF revenue only to agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements.

(3) By October 1 of the current fiscal year, from the funds appropriated in part 1 for family preservation services, the department shall allocate $1,750,000.00 and any eligible federal matching funds to increase rates paid to current family preservation service providers in the following manner:

(a) $1,075,000.00 for the families first program.

(b) $303,900.00 for the family reunification program.

(c) $370,800.00 for the families together building solutions program.

Sec. 524. As a condition of receiving funds appropriated in part 1 for strong families/safe children, counties must submit the service spending plan to the department by October 1 of the current fiscal year for approval. The department shall approve the service spending plan within 30 calendar days after receipt of a properly completed service spending plan.

Sec. 525. The department shall implement the same on-site evaluation processes for privately operated child welfare and juvenile justice residential facilities as is used to evaluate state-operated facilities. Penalties for noncompliance shall be the same for privately operated child welfare and juvenile justice residential facilities and state-operated facilities.

Sec. 526. From the funds appropriated in part 1 for court-appointed special advocates, the department shall allocate $500,000.00 to fund a project with a nonprofit, community-based organization organized under the laws of this state that are exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, located in a charter township with a population of between 16,000 and 17,000 according to the most recent federal decennial census which charter township is located in a county with a population of between 600,000 and 605,000 according to the most recent federal decennial census. The nonprofit organization recipient shall have an existing network of affiliate programs operating in at least 25 counties in this state. The nonprofit organization shall use the funds to recruit, screen, train, and supervise volunteers who provide advocacy services on behalf of abused and neglected children.

Sec. 527. With the approval of the settlement monitor, for the purposes of calculating adoption worker caseloads for private child placing agencies, the department shall exclude the following case types:

(a) Cases in which there are multiple applicants as that term is defined in section 22(e) of chapter X of the probate code of 1939, 1939 PA 288, MCL 710.22, also known as a competing party case, in which the case has a consent motion pending from Michigan's children's institute or the court for more than 30 days.

(b) Cases in which a birth parent has an order or motion for a rehearing or an appeal as of right that has been pending for more than 15 days.

Sec. 530. (1) All master contracts relating to foster care and adoption services as funded by the appropriations in section 105 of part 1 shall be performance-based contracts that employ a client-centered results-oriented process that is based on measurable performance indicators and desired outcomes and includes the annual assessment of the quality of services provided.

(2) By February 1 of the current fiscal year, the department shall provide the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office a report detailing measurable performance indicators, desired outcomes, and an assessment of the quality of services provided by the department during the previous fiscal year.

Sec. 531. The department shall notify the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices of any changes to a child welfare master contract template, including the adoption master contract template, the independent living plus master contract template, the child placing agency foster care master contract template, and the residential foster care juvenile justice master contract template, not less than 30 days before the change takes effect.

Sec. 533. The department shall make payments to child placing facilities for in-home and out-of-home care services and adoption services within 30 days of receiving all necessary documentation from those agencies. It is the intent of the legislature that the burden of ensuring that these payments are made in a timely manner and no payments are in arrears is upon the department.

Sec. 534. The department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office by March 1 of the current fiscal year a report on the adoption subsidies expenditures from the previous fiscal year. The report shall include, but is not limited to, the range of annual adoption support subsidy amounts, for both title IV-E eligible cases and state-funded cases, paid to adoptive families, the

number of title IV-E and state-funded cases, the number of cases in which the adoption support subsidy request of adoptive parents for assistance was denied by the department, and the number of adoptive parents who requested a redetermination of adoption support subsidy.

Sec. 535. (1) By December 1 of the current fiscal year, the department shall create a process in which unlicensed relatives are reviewed and approved as meeting the standards established for state licensing for foster care. For any placements approved as meeting the standards established for state licensing for foster care, the department shall seek title IV-E claims for foster care maintenance payments and foster care administrative payments.

(2) By March 1 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices a report on the number of unlicensed relative placements not approved as meeting the standards established for state licensing and the status of title IV-E claims described in subsection (1).

Sec. 536. By March 1 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the policy offices a report on the status of the department's planned and achieved implementation of the federal family first prevention services act, Public Law 115-123. The report shall include, but not be limited to, an estimate of the 5-year spending plan for administrative and compliance costs, a summary of all historical expenditures made to date for implementation by line-item appropriation and program type, information regarding compliance with title IV-E prevention requirements, the status of statewide compliance with the qualified residential treatment program requirements, a summary of provider concerns with respect to requirements under the qualified residential treatment program as that term is defined in section 1 of 1973 PA 116, MCL 722.111, a detailed methodology in determining any savings realized or estimated from a reduction in congregate care or residential placements, the department's conformity with federal model licensing standards, the department's plan for tracking and preventing child maltreatment deaths, and the department's plan for extending John H. Chaffee foster care independence programs up to age 23.

Sec. 538. By October 1 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the policy offices a report on the status of the department's program improvement plan associated with round 3 of the child and family services review (CFSR). The report shall also include, but not be limited to, a specific and detailed plan to provide an update on areas of substantial nonconformity identified in the CFSR such as the inadequacy of caseworker training provided by the department, the estimated costs necessary to reduce travel time for service delivery to rural areas, plans to improve caseworker engagement to reduce maltreatment in care, and steps undertaken by the department to emphasize permanency in case planning. Additionally, the department shall include the status for items currently being implemented and the description and cost estimate for the implementation for items that will be implemented in the current fiscal year.

Sec. 540. If a physician or psychiatrist who is providing services to state or court wards placed in a residential facility submits a formal request to the department to change the psychotropic medication of a ward, the department shall, if the ward is a state ward, make a determination on the proposed change within 7 business days after the request or, if the ward is a temporary court ward, seek parental consent within 7 business days after the request. If parental consent is not provided within 7 business days, the department shall petition the court on the eighth business day.

Sec. 546. (1) From the funds appropriated in part 1 for foster care payments and from child care fund, the department shall pay providers of general foster care, independent living, and trial reunification services not less than a $46.20 administrative rate.

(2) From the funds appropriated in part 1, the department shall pay providers of independent living plus services statewide per diem rates for staff-supported housing and host-home housing based on proposals submitted in response to a solicitation for pricing. The independent living plus program provides staff-supported housing and services for foster youth ages 16 through 19 who, because of their individual needs and assessments, are not initially appropriate for general independent living foster care.

(3) If required by the federal government to meet title IV-E requirements, providers of foster care services shall submit quarterly reports on expenditures to the department to identify actual costs of providing foster care services.

(4) From the funds appropriated in part 1, the department shall maintain rates that are no less than the rates in place on March 20, 2020 provided to each private provider of residential services.

Sec. 547. (1) From the funds appropriated in part 1 for the guardianship assistance program, the department shall pay a minimum rate that is not less than the approved age-appropriate payment rates for youth placed in family foster care.

(2) The department shall report quarterly to the state budget office, the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house

policy offices on the number of children enrolled in the guardianship assistance and foster care – children with serious emotional disturbance waiver programs.

Sec. 550. (1) The department shall not offset against reimbursement payments to counties or seek reimbursement from counties for charges that were received by the department more than 12 months before the department seeks to offset against reimbursement. A county shall not request reimbursement for and reimbursement payments shall not be paid for a charge that is more than 12 months after the date of service or original status determination when initially submitted by the county.

(2) All service providers shall submit a request for payment within 12 months after the date of service. Any request for payment submitted 12 months or more after the date of service requires the provider to submit an exception request to the county or the department for approval or denial.

(3) The county is not subject to any offset, chargeback, or reimbursement liability for prior expenditures resulting from an error in foster care fund source determinations.

Sec. 551. The department shall respond to counties within 30 days regarding any request for a clarification requested through the department's child care fund management unit electronic mail address.

Sec. 552. Sixty days after a county's child care fund on-site review is completed, the department shall provide the results of the review to the county. The department shall not evaluate the relevancy, quality, effectiveness, efficiency, or impact of the services provided to youth of the county's child care fund programs in the review. Pursuant to state law, the department shall not release the results of the review to a third-party without the permission of the county being reviewed.

Sec. 558. From the funds appropriated in part 1 for child welfare institute, by January 1 of the current fiscal year, the department shall provide all the necessary training and materials to designated private child placing agency staff in order for all pre-service training requirements specified by the settlement to be completed by private child placing agency staff at agency facilities. It shall be department policy that the designated private child placing agency staff trained by the department to deliver training are authorized to deliver pre-service training to any private child placing agency staff, regardless of agency. This section does not modify or amend current licensing, certification, or subject matter standards required by federal law, state law, or the settlement.

Sec. 559. (1) From the funds appropriated in part 1 for adoption support services, the department shall allocate $250,000.00 to the Adoptive Family Support Network by December 1 of the current fiscal year to operate and expand its adoptive parent mentor program to provide a listening ear, knowledgeable guidance, and community connections to adoptive parents and children who were adopted in this state or another state.

(2) The Adoptive Family Support Network shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office by March 1 of the current fiscal year a report on the program described in subsection (1), including, but not limited to, the number of cases served and the number of cases in which the program prevented an out-of-home placement.

Sec. 562. The department shall provide time and travel reimbursements for foster parents who transport a foster child to parent-child visitations. As part of the foster care parent contract, the department shall provide written confirmation to foster parents that states that the foster parents have the right to request these reimbursements for all parent-child visitations. The department shall provide these reimbursements within 60 days of receiving a request for eligible reimbursements from a foster parent.

Sec. 564. (1) The department shall develop a clear policy for parent-child visitations. The local county offices, caseworkers, and supervisors shall meet an 85% success rate, after accounting for factors outside of the caseworkers' control.

(2) Per the court-ordered number of required meetings between caseworkers and a parent, the caseworkers shall achieve a success rate of 85%, after accounting for factors outside of the caseworkers' control.

(3) By March 1 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a report on the following:

(a) The percentage of success rate for parent-child visitations and court-ordered required meetings between caseworkers referenced in subsections (1) and (2) for the previous year.

(b) The barriers to achieve the success rates in subsections (1) and (2) and how this information is tracked.

Sec. 567. The department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office by March 1 of the current fiscal year a report on transfer of medical passports for children in foster care, including the following:

(a) From the total medical passports transferred, the percentage that transferred within 2 weeks from the date of placement or return to the home.

(b) From the total school records, the percentage that transferred within 2 weeks from the date of placement or return to the home.

(c) The implementation steps that have been taken to improve the outcomes for the measures in subdivision (a).

Sec. 569. The department shall reimburse private child placing agencies that complete adoptions at the rate according to the date on which the petition for adoption and required support documentation was accepted by the court and not according to the date the court's order placing for adoption was entered.

Sec. 573. (1) From the funds appropriated in part 1 for foster care payments and child care fund, the department shall, if funds become available, pay providers of foster care services a per diem daily administrative rate for every case on a caseworker's caseload for the duration of a case from referral acceptance to the discharge of wardship.

(2) The department shall complete an actuarial study to review case rates paid to private child placing agencies every even-numbered year.

(3) The department shall submit a request to the settlement monitor to define caseload ratios in the settlement to only include active cases or to designate a zero case weight for cases that are routed for case closure but remain open to complete administrative activities.

Sec. 574. (1) From the funds appropriated for foster care payments, $375,000.00 is allocated to support family incentive grants to private and community-based foster care service providers to assist with home improvements or payment for physical exams for applicants needed by foster families and unlicensed relatives caring for a family member through the child welfare system to accommodate children in foster care.

(2) By March 1 of the current fiscal year, the department shall submit to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office a report on the total amount expended in the previous year for grants to private and community-based foster care service providers for home improvements or physical exams as referenced in subsection (1) and the number of grants issued.

Sec. 575. From the funds appropriated in part 1 for children's services administration, the department shall allocate $200,000.00 to provide support and coordinated services to the kinship caregiver advisory council created in the kinship caregiver advisory council act.

Sec. 583. By March 1 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on families and human services, the senate and house fiscal agencies and policy offices, and the state budget office a report that includes:

(a) The number and percentage of foster parents that dropped out of the program in the previous fiscal year and the reasons the foster parents left the program and how those figures compare to prior fiscal years.

(b) The number and percentage of foster parents successfully retained in the previous fiscal year and how those figures compare to prior fiscal years.

Sec. 585. The department shall make available at least 1 pre-service training class each month in which new caseworkers for private foster care and adoption agencies can enroll.

Sec. 588. (1) Concurrently with public release, the department shall transmit all reports from the court-appointed settlement monitor, including, but not limited to, the needs assessment and period outcome reporting, to the state budget office, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies and policy offices, without revision.

(2) By October 1 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the policy offices a detailed plan that will terminate and dismiss with prejudice the settlement by September 30 of the current fiscal year.

Sec. 589. (1) From the funds appropriated in part 1 for child care fund, the department shall pay 100% of the administrative rate for all new cases referred to providers of foster care services.

(2) On a quarterly basis, the department shall report on the monthly number of all foster care cases administered by the department and all foster care cases administered by private providers.

Sec. 592. The department shall submit quarterly reports to the chairs of the house and senate standing oversight committees, the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office that include data from children's protective services staff for each of the following for the most recent 30-day period before the report is submitted:

(a) Percent of investigations commenced within 24 hours after receiving a report.

(b) Percent of central registry reviews performed for required individuals.

(c) Percent of face-to-face contacts made within the established timeframe required by the department.

(d) In appropriate cases, the percent of sibling placement evaluations completed when 1 or more children remain in the home after a child has been removed.

(e) Percent of supervisory reviews performed in a timely manner.

(f) Results of a department survey of child protective services investigators on the number of investigators who are concerned for his or her own personal safety.

(g) Percent of investigators using the mobile application or other tool to document compliance.

Sec. 593. (1) The department shall conduct an annual review in each county to determine if the county has adopted and implemented standard child abuse and child neglect investigation and interview protocols as required in section 8(6) of the child protection law, 1975 PA 238, MCL 722.628.

(2) By March 1 of the current fiscal year, the department shall submit an annual report to the chairs of the house and senate standing oversight committees, the governor's task force on child abuse and neglect, the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on the findings of each county's review described in subsection (1).

Sec. 594. From the funds appropriated in part 1 for foster care payments, the department shall support regional resource teams to provide for the recruitment, retention, and training of foster and adoptive parents and shall expand the Michigan youth opportunities initiative to all Michigan counties. The purpose of this funding is to increase the number of annual inquiries from prospective foster parents, increase the number of nonrelative foster homes that achieve licensure each year, increase the annual retention rate of nonrelative foster homes, reduce the number of older foster youth placed outside of family settings, and provide older youth with enhanced support in transitioning to adulthood.

Sec. 595. (1) Due to the exigent circumstances found in the department's children's protective services (CPS) program by the office of the auditor general (OAG) audit number 431-1285-16, from the funds appropriated in part 1, the department shall expend the funding for children's protective services - caseload staff in order to dedicate resources to CPS investigations. The department shall hire staff from the funds appropriated in part 1 for children's protective services - caseload staff for the department to come into compliance and sustain measured corrective action as determined by the OAG for OAG audit number 431-1285-16.

(2) From the funds appropriated in part 1 for foster care services - caseload staff, the department shall not expend any funds on hiring foster care workers or licensing workers and shall not assume any direct supervisory responsibility of foster care cases unless 1 of the following conditions is met:

(a) An initial review of the case indicated that the case is not eligible for title IV-E reimbursement.

(b) The department is already providing direct foster care service to 1 or more siblings of the child ordered into a placement, and a department direct service provision can provide placement to the entire sibling group.

(c) The court has ordered placement for only some of the children in the family, requiring the department to monitor the children remaining at home.

(3) From the funds appropriated in part 1 for foster care payments, all new foster care cases coming into care shall be placed with a private child placing agency supervision unless any of the conditions in subsection (1) are met or until the statewide ratio of foster care cases is 55% for private child placing agency supervision to 45% department case management supervision respectively.

(4) This section does not require an individual county to meet the case ratio described in subsection (3).

(5) This section does not modify or amend caseload ratios required under the settlement.

Sec. 598. Partial child care fund reimbursements to counties for undisputed charges shall be made within 45 business days after the receipt of the required forms and documentation. The department shall notify a county within 15 business days after a disputed reimbursement request. The department shall reimburse for corrected charges within 45 business days after a properly corrected submission by the county.

PUBLIC ASSISTANCE

Sec. 601. Whenever a client agrees to the release of his or her name and address to the local housing authority, the department shall request from the local housing authority information regarding whether the housing unit for which vendoring has been requested meets applicable local housing codes. Vendoring shall be terminated for those units that the local authority indicates in writing do not meet local housing codes until such time as the local authority indicates in writing that local housing codes have been met.

Sec. 602. The department shall conduct a full evaluation of an individual's assistance needs if the individual has applied for disability more than 1 time within a 1-year period.

Sec. 603. For any change in the income of a recipient of the food assistance program, the family independence program, or state disability assistance that results in a benefit decrease, the department must notify the affected recipient of the decrease in benefits amount no later than 15 work days before the first day of the month in which the change takes effect.

Sec. 604. (1) The department shall operate a state disability assistance program. Except as provided in subsection (3), persons eligible for this program shall include needy citizens of the United States or aliens exempted from the supplemental security income citizenship requirement who are at least 18 years of age or emancipated minors meeting 1 or more of the following requirements:

(a) A recipient of supplemental security income, social security, or medical assistance due to disability or 65 years of age or older.

(b) A person with a physical or mental impairment that meets federal supplemental security income disability standards, except that the minimum duration of the disability shall be 90 days. Substance use disorder alone is not defined as a basis for eligibility.

(c) A resident of an adult foster care facility, a home for the aged, a county infirmary, or a substance use disorder treatment center.

(d) A person receiving 30-day postresidential substance use disorder treatment.

(e) A person diagnosed as having acquired immunodeficiency syndrome.

(f) A person receiving special education services through the local intermediate school district.

(g) A caretaker of a disabled person who meets the requirements specified in subdivision (a), (b), (e), or (f).

(2) Applicants for and recipients of the state disability assistance program shall be considered needy if they:

(a) Meet the same asset test as is applied for the family independence program.

(b) Have a monthly budgetable income that is less than the payment standards.

(3) Except for a person described in subsection (1)(c) or (d), a person is not disabled for purposes of this section if his or her drug addiction or alcoholism is a contributing factor material to the determination of disability. “Material to the determination of disability” means that, if the person stopped using drugs or alcohol, his or her remaining physical or mental limitations would not be disabling. If his or her remaining physical or mental limitations would be disabling, then the drug addiction or alcoholism is not material to the determination of disability and the person may receive state disability assistance. Such a person must actively participate in a substance abuse treatment program, and the assistance must be paid to a third party or through vendor payments. For purposes of this section, substance abuse treatment includes receipt of inpatient or outpatient services or participation in alcoholics anonymous or a similar program.

Sec. 605. The level of reimbursement provided to state disability assistance recipients in licensed adult foster care facilities shall be the same as the prevailing supplemental security income rate under the personal care category.

Sec. 606. County department offices shall require each recipient of family independence program and state disability assistance who has applied with the social security administration for supplemental security income to sign a contract to repay any assistance rendered through the family independence program or state disability assistance program upon receipt of retroactive supplemental security income benefits.

Sec. 607. (1) The department’s ability to satisfy appropriation deductions in part 1 for state disability assistance/supplemental security income recoveries and public assistance recoupment revenues shall not be limited to recoveries and accruals pertaining to state disability assistance, or family independence assistance grant payments provided only in the current fiscal year, but may include revenues collected during the current year that are prior year related and not a part of the department’s accrued entries.

(2) The department may use supplemental security income recoveries to satisfy the deduct in any line in which the revenues are appropriated, regardless of the source from which the revenue is recovered.

Sec. 608. Adult foster care facilities providing domiciliary care or personal care to residents receiving supplemental security income or homes for the aged serving residents receiving supplemental security income shall not require those residents to reimburse the home or facility for care at rates in excess of those legislatively authorized. To the extent permitted by federal law, adult foster care facilities and homes for the aged serving residents receiving supplemental security income shall not be prohibited from accepting third-party payments in addition to supplemental security income if the payments are not for food, clothing, shelter, or result in a reduction in the recipient’s supplemental security income payment.

Sec. 609. The state supplementation level under the supplemental security income program for the personal care/adult foster care and home for the aged categories shall not be reduced during the current fiscal year. The legislature shall be notified not less than 30 days before any proposed reduction in the state supplementation level.

Sec. 610. (1) In developing good cause criteria for the state emergency relief program, the department shall grant exemptions if the emergency resulted from unexpected expenses related to maintaining or securing employment.

(2) For purposes of determining housing affordability eligibility for state emergency relief, a group is considered to have sufficient income to meet ongoing housing expenses if their total housing obligation does not exceed 75% of their total net income.

(3) State emergency relief payments shall not be made to individuals who have been found guilty of fraud in regard to obtaining public assistance.

(4) State emergency relief payments shall not be made available to persons who are out-of-state residents or illegal immigrants.

(5) State emergency relief payments for rent assistance shall be distributed directly to landlords and shall not be added to Michigan bridge cards.

Sec. 611. The state supplementation level under the supplemental security income program for the living independently or living in the household of another categories shall not exceed the minimum state supplementation level as required under federal law or regulations.

Sec. 613. (1) The department shall provide reimbursements for the final disposition of indigent persons. The reimbursements shall include the following:

(a) The maximum allowable reimbursement for the final disposition is $840.00.

(b) The adult burial with services allowance is $765.00.

(c) The adult burial without services allowance is $530.00.

(d) The infant burial allowance is $210.00.

(2) Reimbursement for a cremation permit fee of up to $75.00 and for mileage at the standard rate will be made available for an eligible cremation. The reimbursements under this section shall take into consideration religious preferences that prohibit cremation.

Sec. 614. The department shall report to the senate and house of representatives appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices by January 15 of the current fiscal year on the number and percentage of state disability assistance recipients who were determined to be eligible for federal supplemental security income benefits in the previous fiscal year.

Sec. 615. Except as required by federal law or regulations, funds appropriated in part 1 shall not be used to provide public assistance to a person who is not a United States citizen, permanent resident alien, or refugee. This section shall not prohibit the department from entering into contracts with food banks, emergency shelter providers, or other human services agencies who may, as a normal part of doing business, provide food or emergency shelter.

Sec. 616. The department shall require retailers that participate in the electronic benefits transfer program to charge no more than $2.50 in fees for cash back as a condition of participation.

Sec. 618. By March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office the quarterly number of supervised individuals who have absconded from supervision and whom a law enforcement agency, the department of corrections, or the department is actively seeking according to section 84 of the corrections code of 1953, 1953 PA 232, MCL 791.284.

Sec. 619. The department shall not deny title IV-A assistance and food assistance benefits under 21 USC 862a to any individual who has been convicted of a felony that included the possession, use, or distribution of a controlled substance, for which the act that resulted in the conviction occurred after August 22, 1996, if the individual is not in violation of his or her probation or parole requirements.

Sec. 620. (1) The department shall make a determination of Medicaid eligibility not later than 90 days if disability is an eligibility factor. For all other Medicaid applicants, including patients of a nursing home, the department shall make a determination of Medicaid eligibility within 45 days of application.

(2) The department shall provide quarterly reports to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on families and human services, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the average Medicaid eligibility standard of promptness for each of the required standards of promptness under subsection (1) and for medical review team reviews achieved statewide and at each local office.

Sec. 645. An individual or family is considered homeless, for purposes of eligibility for state emergency relief, if living temporarily with others in order to escape domestic violence. For purposes of this section, domestic violence is defined and verified in the same manner as in the department's policies on good cause for not cooperating with child support and paternity requirements.

Sec. 653. From the funds appropriated in part 1 for food assistance program benefits, an individual who is the victim of domestic violence and does not qualify for any other exemption may be exempt from the 3-month in 36-month limit on receiving food assistance under 7 USC 2015. This exemption can be extended an additional 3 months upon demonstration of continuing need.

Sec. 654. The department shall notify recipients of food assistance program benefits that their benefits can be spent with their bridge cards at many farmers' markets in the state. The department shall also notify recipients about the Double Up Food Bucks program that is administered by the Fair Food Network.

Recipients shall receive information about the Double Up Food Bucks program, including information that when the recipient spends $20.00 at participating farmers' markets through the program, the recipient can receive an additional $20.00 to buy Michigan produce.

Sec. 655. Within 14 days after the spending plan for low-income home energy assistance program is approved by the state budget office, the department shall provide the spending plan, including itemized projected expenditures, to the chairpersons of the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office.

Sec. 660. From the funds appropriated in part 1 for Food Bank Council of Michigan, the department is authorized to make allocations of TANF revenue only to the agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements. The agencies that do not report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements will not receive allocations in excess of those received in fiscal year 2000. The use of TANF revenue under this section is not an ongoing commitment of funding.

Sec. 669. From the funds appropriated in part 1 for family independence program, the department shall allocate $7,230,000.00 for the annual clothing allowance. The allowance shall be granted to all eligible children in a family independence program group.

Sec. 672. (1) The department's office of inspector general shall report to the senate and house of representatives appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices by February 15 of the current fiscal year on department efforts to reduce inappropriate use of Michigan bridge cards and food assistance program trafficking. The department shall provide information on the number of recipients of services who used their electronic benefit transfer card inappropriately and the current status of each case, the number of recipients whose benefits were revoked, whether permanently or temporarily, as a result of inappropriate use, and the number of retailers that were fined or removed from the electronic benefit transfer program for permitting inappropriate use of the cards. The report shall also include the number of Michigan bridge card trafficking instances and overall welfare fraud referrals that includes such information as the number of investigations completed, fraud and intentional program violation dollar amounts identified, the number of referrals to prosecutors, the number of administrative hearing referrals and waivers, and the number of program disqualifications imposed. The report shall distinguish between savings and cost avoidance. Savings include receivables established from instances of fraud committed. Cost avoidance includes expenditures avoided due to front-end eligibility investigations and other preemptive actions undertaken in the prevention of fraud.

(2) The department shall require an explanation from a recipient if a bridge card is replaced more than 2 times over any 3-month period.

(3) As used in this section, "inappropriate use" means not used to meet a family's ongoing basic needs, including food, clothing, shelter, utilities, household goods, personal care items, and general incidentals.

(4) As used in this section, "food assistance trafficking" means the buying and selling of food assistance benefits for cash or items not authorized under the food and nutrition act, 7 USC 2036.

Sec. 677. (1) The department shall establish a state goal for the percentage of family independence program cases involved in employment activities. The percentage established shall not be less than 50%. The goal for long-term employment shall be 15% of cases for 6 months or more.

(2) The department shall provide quarterly reports to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget director on the number of cases referred to Partnership. Accountability. Training. Hope. (PATH), the current percentage of family independence program cases involved in PATH employment activities, an estimate of the current percentage of family independence program cases that meet federal work participation requirements on the whole, and an estimate of the current percentage of the family independence program cases that meet federal work participation requirements for those cases referred to PATH.

(3) The department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office quarterly reports that include all of the following:

(a) The number and percentage of nonexempt family independence program recipients who are employed.

(b) The average and range of wages of employed family independence program recipients.

(c) The number and percentage of employed family independence program recipients who remain employed for 6 months or more.

Sec. 686. (1) The department shall confirm that individuals presenting personal identification issued by another state seeking assistance through the family independence program, food assistance program, state disability assistance program, or medical assistance program are not receiving benefits from any other state.

(2) The department shall confirm the address provided by any individual seeking family independence program benefits or state disability assistance benefits.

(3) The department shall prohibit individuals with property assets assessed at a value higher than $200,000.00 from accessing assistance through department-administered programs, unless such a prohibition would violate federal rules and guidelines.

(4) The department shall obtain an up-to-date telephone number during the eligibility determination or redetermination process for individuals seeking medical assistance benefits.

Sec. 687. (1) The department shall, in quarterly reports, compile and make available on its website all of the following information about the family independence program, state disability assistance, the food assistance program, Medicaid, and state emergency relief:

(a) The number of applications received.

(b) The number of applications approved.

(c) The number of applications denied.

(d) The number of applications pending and neither approved nor denied.

(e) The number of cases opened.

(f) The number of cases closed.

(g) The number of cases at the beginning of the quarter and the number of cases at the end of the quarter.

(2) The information provided under subsection (1) shall be compiled and made available for the state as a whole and for each county and reported separately for each program listed in subsection (1).

(3) The department shall, in quarterly reports, compile and make available on its website the family independence program information listed as follows:

(a) The number of new applicants who successfully met the requirements of the 21-day assessment period for PATH.

(b) The number of new applicants who did not meet the requirements of the 21-day assessment period for PATH.

(c) The number of cases sanctioned because of the school truancy policy.

(d) The number of cases closed because of the 48-month and 60-month lifetime limits.

(e) The number of first-, second-, and third-time sanctions.

(f) The number of children ages 0-5 living in FIP-sanctioned households.

Sec. 688. From the funds appropriated in part 1 for the low-income home energy assistance program, the department shall make an additional $20.01 payment to each food assistance program case that is not currently eligible for the standard utility allowance to enable each case to receive expanded food assistance benefits through the program commonly known as the heat and eat program.

CHILDREN'S SERVICES AGENCY - JUVENILE JUSTICE

Sec. 701. Unless required from changes to federal or state law or at the request of a provider, the department shall not alter the terms of any signed contract with a private residential facility serving children under state or court supervision without written consent from a representative of the private residential facility.

Sec. 706. Counties shall be subject to 50% chargeback for the use of alternative regional detention services, if those detention services do not fall under the basic provision of section 117e of the social welfare act, 1939 PA 280, MCL 400.117e, or if a county operates those detention services programs primarily with professional rather than volunteer staff.

Sec. 707. In order to be reimbursed for child care fund expenditures, counties are required to submit department-developed reports to enable the department to document potential federally claimable expenditures. This requirement is in accordance with the reporting requirements specified in section 117a(11) of the social welfare act, 1939 PA 280, MCL 400.117a.

Sec. 708. (1) As a condition of receiving funds appropriated in part 1 for the child care fund line item, by October 15 of the current fiscal year, counties shall have an approved service spending plan for the current fiscal year. Counties must submit the service spending plan for the following fiscal year to the department by August 15 of the current fiscal year for approval. Upon submission of the county service spending plan, the department shall approve within 30 calendar days after receipt of a properly completed service plan that complies with the requirements of the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b. The department shall notify and submit county service spending plan revisions to any county whose county service spending plan is not accepted upon initial submission. The department shall not request any additional revisions to a county service spending plan outside of the requested revision notification submitted to the county by the department. The department shall notify a county within 30 days after approval that its service plan was approved.

(2) Counties must submit amendments to current fiscal year county service plans no later than August 30. Counties must submit current fiscal year payable estimates to the department no later than September 15.

(3) The department shall submit a report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office by February 15 of the current fiscal year on the number of counties that fail to submit a service spending plan by August 15 of the previous fiscal year and the number of service spending plans not approved by October 15. The report shall include the number of county service spending plans that were not approved as first submitted by the counties, as well as the number of plans that were not approved by the department after being resubmitted by the county with the first revisions that were requested by the department.

Sec. 709. The department's master contract for juvenile justice residential foster care services shall prohibit contractors from denying a referral for placement of a youth, or terminating a youth's placement, if the youth's assessed treatment needs are in alignment with the facility's residential program type, as identified by the court or the department. In addition, the master contract shall require that youth placed in juvenile justice residential foster care facilities must have regularly scheduled treatment sessions with a licensed psychologist or psychiatrist, or both, and access to the licensed psychologist or psychiatrist as needed.

Sec. 710. (1) The department shall create and participate in a workgroup to make recommendations to ensure the use of juvenile justice diversion programs in this state. The workgroup shall include a representative from the department, the state court administrative office, members of the house of representatives and the senate, and other individuals or organizations as determined appropriate by the department.

(2) By April 15 of the current fiscal year, the department shall provide a report to the house and senate appropriations subcommittees on the department budget, the senate and house fiscal agencies, the house and senate policy offices, and the state budget office. The report produced by the workgroup shall include, but not be limited to, all of the following:

(a) Best practices established for juvenile justice diversion programs.

(b) Outcomes for juveniles from juvenile justice diversion programs.

(c) Types of diversion programs currently being used in this state.

(d) Recommendations to promote consistency in juvenile justice screening programs across this state.

(e) Recommendations for training standards for juvenile justice screening programs to be developed by the department.

FIELD OPERATIONS AND SUPPORT SERVICES

Sec. 801. (1) The department shall report monthly on the most recent food assistance program error rate derived from the active cases, reported to the United States Department of Agriculture – Food and Nutrition Services for the supplemental nutrition assistance program, to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office.

(2) By March 1 of the current fiscal year, the department shall report on the progress of the corrective action taken utilizing the funds appropriated for food assistance reinvestment in lowering the food assistance program error rate and improving program payment accuracy.

Sec. 802. From the funds appropriated in part 1 for field staff travel, the department shall allocate up to $100,000.00 toward reimbursing local county board members and county department directors for out-of-pocket travel costs to attend 1 meeting per year of the Michigan County Social Services Association.

Sec. 807. From the funds appropriated in part 1 for Elder Law of Michigan MiCAFE contract, the department shall allocate not less than $350,000.00 to the Elder Law of Michigan MiCAFE to assist this state's elderly population in participating in the food assistance program. Of the $350,000.00 allocated under this section, the department shall use $175,000.00, which are general fund/general purpose funds, as state matching funds for not less than $175,000.00 in United States Department of Agriculture funding to provide outreach program activities, such as eligibility screening and information services, as part of a statewide food assistance hotline.

Sec. 808. By March 1 of the current fiscal year, the department shall provide a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the nutrition education program. The report shall include requirements made by the agriculture improvement act of 2018, Public Law 115-334, such as how the department shall use an electronic reporting system to evaluate projects and an accounting of allowable state agency administrative costs. The report shall also include documentation of the steps the department shall take to ensure that projects and subgrantee programs are evidence-based, appropriated for, and meet the criteria for eligible individuals as defined in section 2036a(a) of the food and nutrition act, 7 USC 2036, and quantitative evidence that the programs contribute to a reduction in obesity or an increase in the consumption of healthy foods. Additionally, the report shall include planned allocation and actual

expenditures for the supplemental nutrition assistance program education funding, planned and actual grant amounts for the supplemental nutrition assistance program education funding, the total amount of expected carryforward balance at the end of the current fiscal year for the supplemental nutrition assistance program education funding and for each subgrantee program, a list of all supplemental nutrition assistance program education funding programs by implementing agency, and the stated purpose of each of the programs and each of the subgrantee programs.

Sec. 809. (1) The purpose of the pathways to potential program is to reduce chronic absenteeism and decrease the number of students who repeat grades for schools that are current or future participants in the pathways to potential program. Before any deployment of resources into a participant school, the department and the participant school shall establish performance objectives for each participant school based on a 2-year baseline prior to pathways to potential being established in the participant school and shall evaluate the progress made in the above categories from the established baseline. By March 1 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices a report listing all participant schools, the number of staff assigned to each school by participant school, and the percentage of participating schools that achieved improved performance in each of the 2 outcomes listed above compared to the previous year, by each individual outcome. It is the intent of the legislature that after a 2-year period without attaining an increase in success in meeting the 2 listed outcomes from the established baseline, the department shall work with the participant school to examine the cause of the lack of progress and shall seek to implement a plan to increase success in meeting the identified outcomes. It is the intent of the legislature that progress or the lack of progress made in meeting the performance objectives shall be used as a determinant in future pathways to potential resource allocation decisions.

(2) As used in this section, "baseline" means the initial set of data from the center for educational performance and information in the department of technology, management, and budget of the 2 measured outcomes as described in subsection (1).

Sec. 825. (1) From the funds appropriated in part 1, the department shall provide individuals not more than $500.00 for vehicle repairs, including any repairs done in the previous 12 months. However, the department may in its discretion pay for repairs up to $900.00. Payments under this section shall include the combined total of payments made by the department and work participation program.

(2) By November 30 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices a report detailing the total number of payments for repairs, the number of payments for repairs that exceeded $500.00, the number of payments for repairs that cost exactly $500.00, and the number of payments for repairs that cost exactly $900.00 in the previous fiscal year.

Sec. 850. (1) The department shall maintain out-stationed eligibility specialists in community-based organizations, community mental health agencies, nursing homes, adult placement and independent living settings, federally qualified health centers, and hospitals unless a community-based organization, community mental health agency, nursing home, adult placement and independent living setting, federally qualified health centers, or hospital requests that the program be discontinued at its facility.

(2) From the funds appropriated in part 1 for donated funds positions, the department shall enter into contracts with agencies that are able and eligible under federal law to provide the required matching funds for federal funding, as determined by federal statute and regulations.

(3) A contract for an assistance payments donated funds position must include, but not be limited to, the following performance metrics:

(a) Meeting a standard of promptness for processing applications for Medicaid and other public assistance programs under state law.

(b) Meeting required standards for error rates in determining programmatic eligibility as determined by the department.

(4) The department shall only fill additional donated funds positions after a new contract has been signed. That position shall also be abolished when the contract expires or is terminated.

(5) The department shall classify as limited-term FTEs any new employees who are hired to fulfill the donated funds position contracts or are hired to fill any vacancies from employees who transferred to a donated funds position.

(6) By March 1 of the current fiscal year, the department shall submit a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office detailing information on the donated funds positions, including the total number of occupied positions, the total private contribution of the positions, and the total cost to the state for any nonsalary expenditure for the donated funds position employees.

Sec. 851. (1) From the funds appropriated in part 1 for adult services field staff, the department shall seek to reduce the number of older adults who are victims of crime and fraud by increasing the standard of promptness in every county, as measured by commencing an investigation within 24 hours after a report is made to the department, establishing face-to-face contact with the client within 72 hours after a report is made to the department, and completing the investigation within 30 days after a report is made to the department.

(2) The department shall report no later than March 1 of the current fiscal year to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices on the services provided to older adults who were victims of crime or fraud in the previous fiscal year. The report shall include, but is not limited to, the following by county: the percentage of investigations commenced within 24 hours after a report is made to the department, the number of face-to-face contacts established with the client within 72 hours after a report is made to the department, the number of investigations completed within 30 days after a report is made to the department, and the total number of older adults that were victims of crime or fraud in the previous fiscal year and were provided services by the department as a result of being victims of crime or fraud.

DISABILITY DETERMINATION SERVICES

Sec. 890. From the funds appropriated in part 1 for disability determination services, the department shall maintain the unit rates in effect on September 30, 2019 for medical consultants performing disability determination services, including physicians, psychologists, and speech-language pathologists.

BEHAVIORAL HEALTH SERVICES ADMINISTRATION AND SPECIAL PROJECTS

Sec. 901. The funds appropriated in part 1 are intended to support a system of comprehensive community mental health services under the full authority and responsibility of local CMHSPs or PIHPs in accordance with the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106, the Medicaid provider manual, federal Medicaid waivers, and all other applicable federal and state laws.

Sec. 902. (1) From the funds appropriated in part 1, final authorizations to CMHSPs or PIHPs shall be made upon the execution of contracts between the department and CMHSPs or PIHPs. The contracts shall contain an approved plan and budget as well as policies and procedures governing the obligations and responsibilities of both parties to the contracts. Each contract with a CMHSP or PIHP that the department is authorized to enter into under this subsection shall include a provision that the contract is not valid unless the total dollar obligation for all of the contracts between the department and the CMHSPs or PIHPs entered into under this subsection for the current fiscal year does not exceed the amount of money appropriated in part 1 for the contracts authorized under this subsection.

(2) The department shall immediately report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget director if either of the following occurs:

(a) Any new contracts the department has entered into with CMHSPs or PIHPs that would affect rates or expenditures.

(b) Any amendments to contracts the department has entered into with CMHSPs or PIHPs that would affect rates or expenditures.

(3) The report required by subsection (2) shall include information about the changes and their effects on rates and expenditures.

Sec. 904. (1) By May 31 of the current fiscal year, the department shall provide a report on the CMHSPs, PIHPs, and designated regional entities for substance use disorder prevention and treatment to the members of the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget director that includes the information required by this section.

(2) The report shall contain information for each CMHSP, PIHP, and designated regional entity for substance use disorder prevention and treatment, and a statewide summary, each of which shall include at least the following information:

(a) A demographic description of service recipients that, minimally, shall include reimbursement eligibility, client population, age, ethnicity, housing arrangements, and diagnosis.

(b) Per capita expenditures in total and by client population group and cultural and ethnic groups of the services area, including the deaf and hard of hearing population.

(c) Financial information that, minimally, includes a description of funding authorized; expenditures by diagnosis group, service category, and reimbursement eligibility; and cost information by Medicaid, Healthy Michigan plan, state appropriated non-Medicaid mental health services, local funding, and other fund sources, including administration and funds specified for all outside contracts for services and products. Financial information must include the amount of funding, from each fund source, used to cover clinical services and supports. Service category includes all department-approved services.

(d) Data describing service outcomes that include, but are not limited to, an evaluation of consumer satisfaction, consumer choice, and quality of life concerns including, but not limited to, housing and employment.

(e) Information about access to CMHSPs and designated regional entities for substance use disorder prevention and treatment that includes, but is not limited to, the following:

(*i*) The number of people receiving requested services.

(*ii*) The number of people who requested services but did not receive services.

(f) The number of second opinions requested under the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106, and the determination of any appeals.

(g) Lapses and carryforwards during the previous fiscal year for CMHSPs, PIHPs, and designated regional entities for substance use disorder prevention and treatment.

(h) Performance indicator information required to be submitted to the department in the contracts with CMHSPs, PIHPs, and designated regional entities for substance use disorder prevention and treatment.

(i) Administrative expenditures of each CMHSP, PIHP, and designated regional entity for substance use disorder prevention and treatment that include a breakout of the salary, benefits, and pension of each executive-level staff and shall include the director, chief executive, and chief operating officers and other members identified as executive staff.

(3) The report shall contain the following information from the previous fiscal year on substance use disorder prevention, education, and treatment programs:

(a) Expenditures stratified by department-designated community mental health entity, by central diagnosis and referral agency, by fund source, by subcontractor, by population served, and by service type.

(b) Expenditures per state client, with data on the distribution of expenditures reported using a histogram approach.

(c) Number of services provided by central diagnosis and referral agency, by subcontractor, and by service type. Additionally, data on length of stay, referral source, and participation in other state programs.

(d) Collections from other first- or third-party payers, private donations, or other state or local programs, by department-designated community mental health entity, by subcontractor, by population served, and by service type.

(4) The department shall include data reporting requirements listed in subsections (2) and (3) in the annual contract with each individual CMHSP, PIHP, and designated regional entity for substance use disorder treatment and prevention.

(5) The department shall take all reasonable actions to ensure that the data required are complete and consistent among all CMHSPs, PIHPs, and designated regional entities for substance use disorder prevention and treatment.

Sec. 905. (1) From the funds appropriated in part 1 for behavioral health program administration, the department shall maintain a psychiatric transitional unit and children's transition support team. These services will augment the continuum of behavioral health services for high-need youth and provide additional continuity of care and transition into supportive community-based services.

(2) Outcomes and performance measures for this initiative include, but are not limited to, the following:

(a) The rate of rehospitalization for youth served through the program at 30 and 180 days.

(b) Measured change in the Child and Adolescent Functional Assessment Scale for children served through the program.

Sec. 907. (1) The amount appropriated in part 1 for community substance use disorder prevention, education, and treatment shall be expended to coordinate care and services provided to individuals with severe and persistent mental illness and substance use disorder diagnoses.

(2) The department shall approve managing entity fee schedules for providing substance use disorder services and charge participants in accordance with their ability to pay.

(3) The managing entity shall continue current efforts to collaborate on the delivery of services to those clients with mental illness and substance use disorder diagnoses with the goal of providing services in an administratively efficient manner.

Sec. 909. From the funds appropriated in part 1 for community substance use disorder prevention, education, and treatment, the department shall use available revenue from the marihuana regulatory fund established in section 604 of the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27604, to improve physical health; expand access to substance use disorder prevention and treatment services; and strengthen the existing prevention, treatment, and recovery systems.

Sec. 910. The department shall ensure that substance use disorder treatment is provided to applicants and recipients of public assistance through the department who are required to obtain substance use disorder treatment as a condition of eligibility for public assistance.

Sec. 911. (1) The department shall ensure that each contract with a CMHSP or PIHP requires the CMHSP or PIHP to implement programs to encourage diversion of individuals with serious mental illness, serious emotional disturbance, or developmental disability from possible jail incarceration when appropriate.

(2) Each CMHSP or PIHP shall have jail diversion services and shall work toward establishing working relationships with representative staff of local law enforcement agencies, including county prosecutors' offices, county sheriffs' offices, county jails, municipal police agencies, municipal detention facilities, and the courts. Written interagency agreements describing what services each participating agency is prepared to commit to the local jail diversion effort and the procedures to be used by local law enforcement agencies to access mental health jail diversion services are strongly encouraged.

Sec. 912. The department shall contract directly with the Salvation Army Harbor Light program to provide non-Medicaid substance use disorder services if the local coordinating agency or the department confirms the Salvation Army Harbor Light program meets the standard of care. The standard of care shall include, but is not limited to, utilization of the medication assisted treatment option.

Sec. 918. On or before the twenty-fifth of each month, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget director on the amount of funding paid to PIHPs to support the Medicaid managed mental health care program in the preceding month. The information shall include the total paid to each PIHP, per capita rate paid for each eligibility group for each PIHP, and number of cases in each eligibility group for each PIHP, and year-to-date summary of eligibles and expenditures for the Medicaid managed mental health care program.

Sec. 920. (1) As part of the Medicaid rate-setting process for behavioral health services, the department shall work with PIHP network providers and actuaries to include any state and federal wage and compensation increases that directly impact staff who provide Medicaid-funded community living supports, personal care services, respite services, skill-building services, and other similar supports and services as part of the Medicaid rate.

(2) It is the intent of the legislature that any increased Medicaid rate related to state minimum wage increases shall also be distributed to direct care employees.

Sec. 924. From the funds appropriated in part 1 for autism services, for the purposes of actuarially sound rate certification and approval for Medicaid behavioral health managed care programs, the department shall maintain a fee schedule for autism services reimbursement rates for direct services. Expenditures used for rate setting shall not exceed those identified in the fee schedule. The rates for behavioral technicians shall not be less than $50.00 per hour and not more than $55.00 per hour.

Sec. 926. (1) From the funds appropriated in part 1 for community substance use disorder prevention, education, and treatment, $500,000.00 is allocated for a specialized substance use disorder detoxification pilot project administered by a 9-1-1 service district in conjunction with a substance use and case management provider and at a hospital in a city with a population between 95,000 and 97,000 according to the most recent federal decennial census within a county with a population of at least 1,500,000 according to the most recent federal decennial census. The hospital must have a wing with at least 10 beds dedicated to stabilizing patients suffering from addiction by providing a specialized trauma therapist as well as a peer support specialist to assist with treatment and counseling.

(2) The substance use and case management provider receiving funds under this section shall collect and submit to the department data on the outcomes of the pilot project throughout the duration of the pilot project and shall provide a report on the pilot project's outcomes to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office.

Sec. 927. (1) The department shall, in consultation with the Community Mental Health Association of Michigan, establish, maintain, and review as necessary, a uniform community mental health services auditing process for use by CMHSPs and PIHPs.

(2) The uniform auditing process required under this section must do all of the following:

(a) Create uniformity in the collection of data and consistent measurement of the quality, efficacy, and cost effectiveness of provided services and supports.

(b) Establish a uniform audit tool that contains information necessary for the uniform community mental health services auditing process and adheres to national standards.

(c) Strive to meet the needs of community mental health service beneficiaries and meet all statewide audit requirements.

(d) Maintain audit responsibility at the local agency level.

(3) By March 1 of the current fiscal year, the department shall submit a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices on the implementation status of the uniform auditing process and any barriers to implementation.

(4) A state department or agency that provides, either directly or through a contract, community mental health services and supports must comply with the uniform auditing process and utilize the audit tool maintained by the department. All forms, processes, and contracts used by the state that relate to the provision of community mental health services and supports must comply with the uniform auditing process.

(5) As used in this section, "national standards" means standards established by a national accrediting entity such as the Joint Commission, Commission on Accreditation of Rehabilitation Facilities, Council on Accreditation, National Committee for Quality Assurance, or other credible body as approved by the department.

Sec. 928. (1) Each PIHP shall provide, from internal resources, local funds to be used as a part of the state match required under the Medicaid program in order to increase capitation rates for PIHPs. These funds shall not include either state funds received by a CMHSP for services provided to non-Medicaid recipients or the state matching portion of the Medicaid capitation payments made to a PIHP.

(2) It is the intent of the legislature that any funds that lapse from the funds appropriated in part 1 for Medicaid mental health services shall be redistributed to individual CMHSPs as a reimbursement of local funds on a proportional basis to those CMHSPs whose local funds were used as state Medicaid match. By April 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the lapse by PIHP from the previous fiscal year and the projected lapse by PIHP in the current fiscal year.

(3) It is the intent of the legislature that the amount of local funds used in subsection (1) be phased out and offset with state general fund/general purpose revenue in equal amounts over a 5-year period.

(4) Until the local funds are phased out as described in subsection (3), each PIHP shall not be required to provide local funds, used as part of the state match required under the Medicaid program in order to increase capitation rates for PIHPs, at an amount greater than what each PIHP received from local units of government, either directly or indirectly, during the fiscal year ending September 30, 2018 for this purpose.

Sec. 935. A county required under the provisions of the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106, to provide matching funds to a CMHSP for mental health services rendered to residents in its jurisdiction shall pay the matching funds in equal installments on not less than a quarterly basis throughout the fiscal year, with the first payment being made by October 1 of the current fiscal year.

Sec. 940. (1) According to section 236 of the mental health code, 1974 PA 258, MCL 330.1236, the department shall do both of the following:

(a) Review expenditures for each CMHSP to identify CMHSPs with projected allocation surpluses and to identify CMHSPs with projected allocation shortfalls. The department shall encourage the board of a CMHSP with a projected allocation surplus to concur with the department's recommendation to reallocate those funds to CMHSPs with projected allocation shortfalls.

(b) Withdraw unspent funds that have been allocated to a CMHSP if other reallocated funds were expended in a manner not provided for in the approved contract, including expending funds on services and programs provided to individuals residing outside of the CMHSP's geographic region.

(2) A CMHSP that has its funding allocation transferred out or withdrawn during the current fiscal year as described in subsection (1) is not eligible for any additional funding reallocations during the remainder of the current fiscal year, unless that CMHSP is responding to a public health emergency as determined by the department.

(3) CMHSPs shall report to the department on any proposed reallocations described in this section at least 30 days before any reallocations take effect.

(4) The department shall notify the chairs of the appropriation subcommittees on the department budget when a request is made and when the department grants approval for reallocation or withdraw as described in subsection (1). By September 30 of the current fiscal year, the department shall provide a report on the amount of funding reallocated or withdrawn to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office.

Sec. 942. A CMHSP shall provide at least 30 days' notice before reducing, terminating, or suspending services provided by a CMHSP to CMHSP clients, with the exception of services authorized by a physician that no longer meet established criteria for medical necessity.

Sec. 959. (1) The department shall continue to convene a workgroup in collaboration with the chairs of the house and senate appropriations subcommittees on the department budget or their designees, CMHSP members, autism services provider clinical and administrative staff, community members, Medicaid autism services clients, and family members of Medicaid autism services clients to make recommendations to ensure appropriate cost and service provision, including, but not limited to, the following:

(a) Evaluation and reduction of the variability in diagnostic rates across different regions of the state.

(b) Evaluation of the factors resulting in the voluntary disenrollment from, or declination of, therapeutic services by eligible families.

(2) By April 15 of the current fiscal year, the department shall provide an update on the workgroup's recommendations and findings to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office.

Sec. 960. (1) From the funds appropriated in part 1 for autism services, the department shall continue to cover all Medicaid autism services to Medicaid enrollees eligible for the services that were covered on January 1, 2019.

(2) To restrain cost increases in the autism services line item, the department shall do all of the following:

(a) By March 1 of the current fiscal year, develop and implement specific written guidance for standardization of Medicaid PIHPs and CMHSPs autism spectrum disorder administrative services, including, but not limited to, reporting requirements, coding, and reciprocity of credentialing and training between PIHPs and CMHSPs to reduce administrative duplication at the PIHP, CMHSP, and service provider levels.

(b) Require consultation with the client's evaluation diagnostician and PIHP to approve the client's ongoing therapy for 3 years, unless the client's evaluation diagnostician recommended an evaluation prior to the 3 years or if a clinician on the treatment team recommended an evaluation for the client prior to the third year.

(c) Limit the authority to perform a diagnostic evaluation for Medicaid autism services to qualified licensed practitioners. Qualified licensed practitioners are limited to the following:

(*i*) A physician with a specialty in psychiatry or neurology.

(*ii*) A physician with a subspecialty in developmental pediatrics, development-behavioral pediatrics, or a related discipline.

(*iii*) A physician with a specialty in pediatrics or other appropriate specialty with training, experience, or expertise in autism spectrum disorders or behavioral health.

(*iv*) A psychologist with a specialty in clinical child psychology, behavioral and cognitive psychology, or clinical neuropsychology, or other appropriate specialty with training, experience, or expertise in autism spectrum disorders or behavioral health.

(*v*) A clinical social worker with at least 1 year of experience working within his or her scope of practice who is qualified and experienced in diagnosing autism spectrum disorders.

(*vi*) An advanced practice registered nurse with training, experience, or expertise in autism spectrum disorders or behavioral health.

(*vii*) A physician assistant with training, experience, or expertise in autism spectrum disorders or behavioral health.

(d) Require that a client whose initial diagnosis was performed by a diagnostician with master's level credentials should have their diagnosis and treatment recommendations reviewed by a physician, psychiatric nurse practitioner, or fully credentialed psychologist.

(e) Allow and expand the utilization of telemedicine and telepsychiatry to increase access to diagnostic evaluation services.

(f) Prohibit CMHSPs from allowing specific providers to provide both diagnosis and treatment services to individual clients.

(g) Coordinate with the department of insurance and financial services oversight for compliance with the Paul Wellstone and Pete Domenici mental health parity and addiction equity act of 2008, Public Law 110-343, as it relates to autism spectrum disorder services, to ensure appropriate cost sharing between public and private payers.

(h) Require that Medicaid eligibility be confirmed through prior evaluations conducted by physicians, psychiatric nurse practitioners, or fully credentialed psychologists to the extent possible.

(i) Maintain regular statewide provider trainings on autism spectrum disorder standard clinical best practice guidelines for treatment and diagnostic services.

(3) By March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on total autism services spending broken down by PIHP, and CMHSP for the previous fiscal year and current fiscal year; and total administrative costs broken down by PIHP, CMHSP, and type of administrative cost for the previous fiscal year and current fiscal year.

Sec. 962. For the purposes of special projects involving high-need children or adults, including the not guilty by reason of insanity population, the department may contract directly with providers of services to these identified populations.

Sec. 964. By July 1 of the current fiscal year, the department shall provide the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office with the standardized fee schedule for Medicaid behavioral health services and supports. The report shall also include the adequacy standards to be used in all contracts with PIHPs and CMHSPs. In the development of the standardized fee schedule for Medicaid behavioral health services and supports during the current fiscal year, the department must prioritize and support essential service providers and must develop a standardized fee schedule for revenue code 0204.

Sec. 965. The department shall explore requiring that CMHSPs reimburse medication assisted treatment providers no less than $12.00 per dose, and reimburse drug screen collection at no less than $12.00 per manual screen.

Sec. 970. The department shall maintain the policies in effect on October 1, 2018 for the federal home and community-based services rule as it relates to skill building assistance services. The skill building assistance services shall remain eligible for federal match until March 17, 2022 as stated in the CMS informational bulletin dated May 9, 2017. From the funds appropriated in part 1, the department shall continue to seek federal matching funds for skill building assistance services. As a condition of their contracts with the department, CMHSPs shall retain any federally approved skill building assistance services available as of October 1, 2018.

Sec. 972. From the funds appropriated in behavioral health program administration, the department shall utilize up to $1,500,000.00 general fund/general purpose revenues, and any additional federal revenues, to develop, implement, and maintain the Michigan crisis and access line (MiCAL) pursuant to section 165 of the mental health code, 1974 PA 258, MCL 330.1165, and the psychiatric bed registry pursuant to section 151 of the mental health code, 1974 PA 258, MCL 330.1151. In accordance with section 165 of the mental health code, 1974 PA 258, MCL 330.1165, the psychiatric bed registry must be integrated with and be part of the MiCAL system, including any related procurement. In accordance with both section 165 of the mental health code, 1974 PA 258, MCL 330.1165, and section 151 of the mental health code, 1974 PA 258, MCL 330.1151, for MiCAL and the psychiatric bed registry, respectively, any procurement or purchasing related contracts must be managed by the department in conjunction with the department of technology, management, and budget and state information technology procurement laws, regulations, and policies. No other state department or agency outside of the department, in conjunction with the department of technology, management, and budget, may develop a psychiatric bed registry for the purposes of compliance with section 151 of the mental health code, 1974 PA 258, MCL 330.1151, and section 165 of the mental health code, 1974 PA 258, MCL 330.1165.

Sec. 974. The department and PIHPs shall allow an individual with an intellectual or developmental disability who receives supports and services from a CMHSP to instead receive supports and services from another provider if the individual shows that he or she is eligible and qualified to receive supports and services from another provider. Other providers may include, but are not limited to, MIChoice and program of all-inclusive care for the elderly (PACE).

Sec. 977. From the funds appropriated in part 1 for community substance use disorder prevention, education, and treatment, $600,000.00 of federal state response to the opioid crisis grant revenue is allocated as grants to high schools specifically designated for students recovering from a substance use disorder to support the costs of counselors, therapeutic staff, and recovery coaching staff, with a priority placed on the cost of substance use disorder counselors. Each grant shall not exceed $150,000.00 per high school.

Sec. 978. From the funds appropriated in part 1 for community substance use disorder prevention, education, and treatment, the department shall allocate $600,000.00 of federal state response to the opioid crisis grant revenue to create a competitive grant for recovery community organizations to offer or expand recovery support center services or recovery community center services to individuals seeking long-term recovery from substance use disorders. An organization may not receive a grant in excess of $150,000.00. In awarding grants, priority shall be placed on recovery community organizations that do the following:

(a) Provide recovery support navigation that includes the following:

(*i*) Multiple recovery pathways.

(*ii*) Assisting individuals navigate recovery resources such as detoxification, treatment, recovery housing, support groups, peer support, and family support.

(*iii*) The promotion of community wellness and engagement.

(*iv*) Recovery advocacy that provides hope and encourages recovery.

(*v*) A peer-led, peer-driven organization that offers recovery to any individual seeking recovery from addiction.

(b) Provide recovery outreach education that includes the following:

(*i*) On-site recovery education in the workplace.

(*ii*) All staff employee meetings.

(*iii*) On-site support for employees and family members.

(*iv*) Connections for employees and family members of employees suffering from addiction to local recovery resources such as treatment, recovery housing, and support groups.

(*v*) Connections with employers to provide recovery advocacy.

(c) Provide recovery activities and events that include the following:

(*i*) Safe, ongoing recovery activities and events.

(*ii*) Opportunities to volunteer and participate in activities and events.

(*iii*) Opportunities for family members and supporters of recovery to be involved.

(*iv*) Meetings and activities on nutrition, health, and wellness.

(*v*) Meetings and activities on mindfulness, meditation, and yoga.

Sec. 979. If funds become available, the department shall seek the appropriate federal approvals to allow for the utilization of Medicaid funding for services provided at adult psychiatric residential treatment facilities. By March 1 of the current fiscal year, the department shall report on its progress toward receiving the appropriate federal approvals to allow for federal Medicaid reimbursements for services provided at adult psychiatric residential treatment facilities to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office.

Sec. 995. From the funds appropriated in part 1 for mental health diversion council, $3,850,000.00 is intended to address the recommendations of the mental health diversion council.

Sec. 996. From the funds appropriated in part 1 for family support subsidy, the department shall make monthly payments of $229.31 to the parents or legal guardians of children approved for the family support subsidy by a CMHSP.

Sec. 997. The population data used in determining the distribution of substance use disorder block grant funds shall be from the most recent federal data from the United States Census Bureau.

Sec. 998. For distribution of state general funds to CMHSPs, if the department decides to use census data, the department shall use the most recent federal data from the United States Census Bureau.

Sec. 999. Within 30 days after the completion of a statewide PIHP reimbursement audit, the department shall provide the audit report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office.

BEHAVIORAL HEALTH SERVICES

Sec. 1001. By December 31 of the current fiscal year, each CMHSP shall submit a report to the department that identifies populations being served by the CMHSP broken down by program eligibility category. The report shall also include the percentage of the operational budget that is related to program eligibility enrollment. By February 15 of the current fiscal year, the department shall submit the report described in this section to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office.

Sec. 1003. The department shall notify the Community Mental Health Association of Michigan when developing policies and procedures that will impact PIHPs or CMHSPs.

Sec. 1004. The department shall provide the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office any rebased formula changes to either Medicaid behavioral health services or non-Medicaid mental health services 90 days before implementation. The notification shall include a table showing the changes in funding allocation by PIHP for Medicaid behavioral health services or by CMHSP for non-Medicaid mental health services.

Sec. 1005. From the funds appropriated in part 1 for health homes, the department shall maintain and expand the number of behavioral health homes in PIHP regions 1, 2, and 8 and expand the number of opioid health homes in PIHP regions 1, 2, 4, and 9.

Sec. 1006. The department shall explore the feasibility of implementing a Medicaid health home under 42 USC 1396w-4 for individuals with an intellectual or developmental disability diagnosis. By March 1 of the current fiscal year, the department shall provide a report that provides information, on a statewide and PIHP regional basis, on the prospective number of eligible individuals, the anticipated enrolled individuals, the estimated cost, the delivery system structure, and the timeline for implementation if feasible to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office.

Sec. 1007. The department may explore the feasibility of creating a distinct standalone Medicaid delivery system for individuals with an intellectual or developmental disability diagnosis. By March 1 of the current fiscal year, the department may provide a report that provides information on potential delivery system structures, prospective number of eligible individuals, possible federal Medicaid authorities, and the

estimated impact on current Medicaid delivery systems that administer benefits for individuals with intellectual or developmental disabilities to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office.

Sec. 1008. PIHPs and CMHSPs shall do all of the following:

(a) Work to reduce administration costs by ensuring that PIHP and CMHSP responsible functions are efficient in allowing optimal transition of dollars to those direct services considered most effective in assisting individuals served. Any consolidation of administrative functions must demonstrate, by independent analysis, a reduction in dollars spent on administration resulting in greater dollars spent on direct services. Savings resulting from increased efficiencies shall not be applied to PIHP and CMHSP net assets, internal service fund increases, building costs, increases in the number of PIHP and CMHSP personnel, or other areas not directly related to the delivery of improved services.

(b) Take an active role in managing mental health care by ensuring consistent and high-quality service delivery throughout its network and promote a conflict-free care management environment.

(c) Ensure that direct service rate variances are related to the level of need or other quantifiable measures to ensure that the most money possible reaches direct services.

(d) Whenever possible, promote fair and adequate direct care reimbursement, including fair wages for direct service workers.

Sec. 1009. (1) From the funds appropriated in part 1 for Medicaid mental health services and Healthy Michigan plan - behavioral health, the department shall maintain the hourly wage for direct care workers from the previous fiscal year. Funds provided in this section must be utilized by a PIHP to maintain the wage increase for direct care worker wages, for the employer's share of federal insurance contributions act costs, purchasing worker's compensation insurance, or the employer's share of unemployment costs.

(2) Each PIHP shall report to the department by February 1 of the current fiscal year the range of wages paid to direct care workers, including information on the number of direct care workers at each wage level.

(3) The department shall report the information required to be reported according to subsection (2) to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office by March 1 of the current fiscal year.

Sec. 1010. The funds appropriated in part 1 for behavioral health community supports and services must be used to expand assertive community treatment (ACT), forensic assertive community treatment (FACT), and supportive housing and residential programs for the purpose of reducing waiting lists at state-operated hospitals and centers through cost-effective community-based services.

Sec. 1011. To the extent permissible under MCL 330.1919, the funds appropriated in part 1 for behavioral health services may be used to reimburse out-of-state providers of crisis resolution services and outpatient services if the out-of-state provider is enrolled as a state Medicaid provider and the out-of-state provider is located closer to the client's home than an in-state provider.

Sec. 1012. It is the intent of the legislature that the department pursue any and all federal Medicaid waivers to maximize the use of federal Medicaid reimbursements for substance use disorder services and treatments for justice-involved individuals. As part of the executive budget presentation for the fiscal year ending September 30, 2022 on behavioral health services to the house and senate appropriations subcommittees on the department budget, the department shall provide an update on the types of substance use disorder waivers submitted by the department, whether those waivers have been approved by the federal Centers for Medicare and Medicaid Services, and the steps the department will take to request any and all federal Medicaid waivers to maximize the use of federal Medicaid reimbursements for substance use disorder services and treatments.

Sec. 1013. CMHSPs that operate preadmission screening units, or that have designated a hospital as a preadmission screening unit, may permit a sheriff's office to use a qualified contracted entity to transport an individual for preadmission screening.

STATE PSYCHIATRIC HOSPITALS AND FORENSIC MENTAL HEALTH SERVICES

Sec. 1051. The department shall continue a revenue recapture project to generate additional revenues from third parties related to cases that have been closed or are inactive. A portion of revenues collected through project efforts may be used for departmental costs and contractual fees associated with these retroactive collections and to improve ongoing departmental reimbursement management functions.

Sec. 1052. The purpose of gifts and bequests for patient living and treatment environments is to use additional private funds to provide specific enhancements for individuals residing at state-operated facilities. Use of the gifts and bequests shall be consistent with the stipulation of the donor. The expected completion date for the use of gifts and bequests donations is within 3 years unless otherwise stipulated by the donor.

Sec. 1055. (1) The department shall not implement any closures or consolidations of state hospitals, centers, or agencies until CMHSPs or PIHPs have programs and services in place for those individuals currently in those facilities and a plan for service provision for those individuals who would have been admitted to those facilities.

(2) All closures or consolidations are dependent upon adequate department-approved CMHSP and PIHP plans that include a discharge and aftercare plan for each individual currently in the facility. A discharge and aftercare plan shall address the individual's housing needs. A homeless shelter or similar temporary shelter arrangements are inadequate to meet the individual's housing needs.

(3) Four months after the certification of closure required in section 19(6) of the state employees' retirement act, 1943 PA 240, MCL 38.19, the department shall provide a closure plan to the house and senate appropriations subcommittees on the department budget and the state budget director.

(4) Upon the closure of state-run operations and after transitional costs have been paid, the remaining balances of funds appropriated for that operation shall be transferred to CMHSPs or PIHPs responsible for providing services for individuals previously served by the operations.

Sec. 1056. The department may collect revenue for patient reimbursement from first- and third-party payers, including Medicaid and local county CMHSP payers, to cover the cost of placement in state hospitals and centers. The department is authorized to adjust financing sources for patient reimbursement based on actual revenues earned. If the revenue collected exceeds current year expenditures, the revenue may be carried forward with approval of the state budget director. The revenue carried forward shall be used as a first source of funds in the subsequent year.

Sec. 1058. Effective October 1 of the current fiscal year, the department, in consultation with the department of technology, management, and budget, may maintain a bid process to identify 1 or more private contractors to provide food service and custodial services for the administrative areas at any state hospital identified by the department as capable of generating savings through the outsourcing of such services.

Sec. 1059. (1) The department shall identify specific outcomes and performance measures for state-operated hospitals and centers, including, but not limited to, the following:

(a) The average wait time for persons determined incompetent to stand trial before admission to the center for forensic psychiatry.

(b) The average wait time for persons determined incompetent to stand trial before admission to other state-operated psychiatric facilities.

(c) The number of persons waiting to receive services at the center for forensic psychiatry.

(d) The number of persons waiting to receive services at other state-operated hospitals and centers.

(e) The number of persons determined not guilty by reason of insanity or incompetent to stand trial by an order of a probate court that have been determined to be ready for discharge to the community, and the average wait time between being determined to be ready for discharge to the community and actual community placement.

(f) The number of persons denied services at the center for forensic psychiatry.

(g) The number of person denied services at other state-operated hospitals and centers.

(2) By March 1 of the current fiscal year, the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on the outcomes and performance measures in subsection (1).

Sec. 1060. By March 1 of the current fiscal year, the department shall provide a status update on the department's implementation of the previous fiscal year's workgroup's recommendations to address mandatory overtime, staff turnover, and staff retention at the state psychiatric hospitals and centers to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office. The report shall include, but is not limited to, the following:

(a) Descriptions of all of the measures being implemented.

(b) Descriptions of all of the measures not being implemented and barriers preventing implementation.

(c) The number of direct care and clinical staff positions that are currently vacant by hospital, and how that compares to the number of vacancies during the previous fiscal year.

(d) A breakdown of voluntary and mandatory overtime hours worked by position and by hospital, and how that compares to the breakdown of voluntary and mandatory overtime hours during the previous fiscal year.

(e) The ranges of wages paid by position and by hospital, and how that compares to wages paid during the previous fiscal year.

Sec. 1061. The funds appropriated in part 1 for Caro Regional Mental Health Center shall only be utilized to support a psychiatric hospital located at its current location. It is the intent of the legislature that the Caro Regional Mental Health Center shall remain open and operational at its current location on an ongoing basis. Capital outlay funding shall be utilized for planning and construction of a new or updated facility at the current location instead of at a new location.

Sec. 1062. It is the intent of the legislature that the department shall provide a 5-year plan to address the need for adult and children's inpatient psychiatric beds to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office. The report shall include recommendations for utilizing both public and public private partnership beds.

HEALTH AND HUMAN SERVICES POLICY AND INITIATIVES

Sec. 1140. From the funds appropriated in part 1 for primary care services, $400,000.00 shall be allocated to free health clinics operating in the state. The department shall distribute the funds equally to each free health clinic. For the purpose of this appropriation, "free health clinics" means nonprofit organizations that use volunteer health professionals to provide care to uninsured individuals.

Sec. 1142. The department shall continue to seek means to increase retention of Michigan medical school students for completion of their primary care residency requirements within this state and ultimately, for some period of time, to remain in this state and serve as primary care physicians. The department is encouraged to work with Michigan institutions of higher education.

Sec. 1143. From the funds appropriated in part 1 for primary care services, the department shall allocate no less than $675,000.00 for island primary health care access and services including island clinics, in the following amounts:

(a) Beaver Island, $250,000.00.

(b) Mackinac Island, $250,000.00.

(c) Drummond Island, $150,000.00.

(d) Bois Blanc Island, $25,000.00.

Sec. 1144. From the funds appropriated in part 1, the department shall report by June 30 of the current fiscal year trended cost and utilization, including inpatient and emergency department, claims data reports in aggregate by local community health innovation regions (CHIRs) and specific to each Medicaid health plan for their beneficiaries that were clients of local CHIRs, for the period beginning with the fiscal year that ended September 30, 2015 through the current fiscal year to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office.

Sec. 1145. The department will take steps necessary to work with Indian Health Service, tribal health program facilities, or Urban Indian Health Program facilities that provide services under a contract with a Medicaid managed care entity to ensure that those facilities receive the maximum amount allowable under federal law for Medicaid services.

Sec. 1146. From the funds appropriated in part 1 for bone marrow donor and blood bank programs, $250,000.00 shall be allocated to Versiti Blood Center, the partner of the match registry of the national marrow donor program. The funds shall be used to offset ongoing tissue typing expenses associated with donor recruitment and collection services and to expand those services to better serve the citizens of this state.

Sec. 1147. From the funds appropriated in part 1 for bone marrow donor and blood bank programs, $500,000.00 shall be allocated to Versiti Blood Center for a cord blood bank. The funds shall be used to enhance the collection of fetal umbilical cord blood and stem cells for transplant, expand cord blood laboratory capabilities, and expand the diversity of collections.

Sec. 1151. The department shall coordinate with the department of licensing and regulatory affairs, the department of the attorney general, all appropriate law enforcement agencies, and the Medicaid health plans to work with local substance use disorder agencies and addiction treatment providers to help inform Medicaid beneficiaries of all medically appropriate treatment options for opioid addiction when their treating physician stops prescribing prescription opioid medication for pain, and to address other appropriate recommendations of the prescription drug and opioid abuse task force outlined in its report of October 2015. By October 1 of the current fiscal year, the department shall submit a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on how the department is working with local substance use disorder agencies and addiction treatment providers to ensure that Medicaid beneficiaries are informed of all available and medically appropriate treatment options for opioid addiction when their treating physician stops prescribing prescription opioid medication for pain, and to address other appropriate recommendations of the task force. The report shall include any potential barriers to medication-assisted treatment, as recommended by the Michigan medication-assisted treatment guidelines, for Medicaid beneficiaries in both office-based opioid treatment and opioid treatment program facility settings.

EPIDEMIOLOGY, EMERGENCY MEDICAL SERVICES, AND LABORATORY

Sec. 1180. From the funds appropriated in part 1 for epidemiology administration and for childhood lead program, the department shall maintain a public health drinking water unit and maintain enhanced efforts to

monitor child blood lead levels. The public health drinking water unit shall ensure that appropriate investigations of potential health hazards occur for all community and noncommunity drinking water supplies where chemical exceedances of action levels, health advisory levels, or maximum contaminant limits are identified. The goals of the childhood lead program shall include improving the identification of affected children, the timeliness of case follow-up, and attainment of nurse care management for children with lead exposure, and to achieve a long-term reduction in the percentage of children in this state with elevated blood lead levels.

Sec. 1181. From the funds appropriated in part 1 for epidemiology administration, the department shall maintain a vapor intrusion response unit. The vapor intrusion response unit shall assess risks to public health at vapor intrusion sites and respond to vapor intrusion risks where appropriate. The goals of the vapor intrusion response unit shall include reducing the number of residents of this state exposed to toxic substances through vapor intrusion and improving health outcomes for individuals that are identified as having been exposed to vapor intrusion.

Sec. 1182. (1) From the funds appropriated in part 1 for the healthy homes program, no less than $7,392,900.00 of general fund/general purpose funds and $18,157,100.00 of federal funds shall be allocated for lead abatement of homes.

(2) By April 1 of the current fiscal year, the department shall provide a report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office on the expenditures and activities undertaken by the lead abatement program in the previous fiscal year from the funds appropriated in part 1 for the healthy homes program. The report shall include, but is not limited to, a funding allocation schedule, expenditures by category of expenditure and by subcontractor, revenues received, description of program elements, number of housing units abated of lead-based paint hazards, and description of program accomplishments and progress.

Sec. 1183. The department shall not require a medical first response service to submit data for purposes of the Michigan emergency medical services information system if the medical first response service is located in a county with a population of less than 85,000 according to the most recent federal decennial census and is composed of only medical first responders who provide services without expecting or receiving money, goods, or services in return for providing those services. A medical first response service described in this subsection shall ensure that a medical first responder provides, in writing, at least all of the following information to an emergency medical technician, emergency medical technician specialist, or paramedic, arriving at the scene after the medical first responder:

(a) The time of the initial medical first responder's arrival at the scene.

(b) The patient's condition at the time of the initial medical first responder's arrival at the scene.

(c) Information gathered from a patient assessment, including, but not limited to, the patient's vital signs and level of consciousness.

Sec. 1184. (1) From the funds appropriated in part 1 for emergency medical services program, the department shall, in coordination with the state emergency medical services coordination committee established under section 20915 of the public health code, 1978 PA 368, MCL 333.20915, medical control authorities, and other emergency medical services organizations, review, revise, and improve the process for the consideration, discussion, announcement, and implementation of any changes proposed by the department for emergency medical services system guidance, guidelines, or protocols.

(2) The goal to improve the current process shall be the effective and safe provision of emergency medical services.

(3) The revised and improved process shall include, but not be limited to, the following:

(a) Increased communication, transparency, and collaboration, to culminate in clarity of, and real-time access to, current department guidance, guidelines, or protocols, and the status of any changes being considered.

(b) Formal notification of proposed changes to guidance, guidelines, or protocols from the department to the state emergency medical services coordination committee no less than 30 days prior to implementation.

(c) Receipt by the department of a recommendation from the state emergency medical services coordination committee regarding the proposed changes to guidance, guidelines or protocols before implementation by the department of the changes.

(4) The department shall provide access and status updates, including any proposed rules being considered through the administrative rules process, to the public on the department's website, which shall be updated by the department on a weekly basis.

(5) The department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies and policy offices, and the state budget director by April 15 of the current fiscal year on the findings of the review and include summaries of actions undertaken to identify, revise, and improve any weaknesses in the current process.

Sec. 1185. From the funds appropriated in part 1 for emergency medical services program, $25,000.00 is allocated for a grant to fund a free family emergency readiness public expo event held in a county with a population between 180,000 and 181,000 according to the most recent federal decennial census. The purpose of the event shall be to educate local residents about preparedness in an emergency, disaster, or crisis including planning, assessing specific personal and household needs, and skills to cope, survive, recover, and prevail.

LOCAL HEALTH AND ADMINISTRATIVE SERVICES

Sec. 1220. The amount appropriated in part 1 for implementation of the 1993 additions of or amendments to sections 9161, 16221, 16226, 17014, 17015, and 17515 of the public health code, 1978 PA 368, MCL 333.9161, 333.16221, 333.16226, 333.17014, 333.17015, and 333.17515, shall be used to reimburse local health departments for costs incurred related to implementation of section 17015(18) of the public health code, 1978 PA 368, MCL 333.17015.

Sec. 1221. If a county that has participated in a district health department or an associated arrangement with other local health departments takes action to cease to participate in such an arrangement after October 1 of the current fiscal year, the department shall have the authority to assess a penalty from the local health department's operational accounts in an amount equal to no more than 6.25% of the local health department's essential local public health services funding. This penalty shall only be assessed to the local county that requests the dissolution of the health department.

Sec. 1222. (1) Funds appropriated in part 1 for essential local public health services shall be prospectively allocated to local health departments to support immunizations, infectious disease control, sexually transmitted disease control and prevention, hearing screening, vision services, food protection, public water supply, private groundwater supply, and on-site sewage management. Food protection shall be provided in consultation with the department of agriculture and rural development. Public water supply, private groundwater supply, and on-site sewage management shall be provided in consultation with the department of environment, Great Lakes, and energy.

(2) Local public health departments shall be held to contractual standards for the services in subsection (1).

(3) Distributions in subsection (1) shall be made only to counties that maintain local spending in the current fiscal year of at least the amount expended in fiscal year 1992-1993 for the services described in subsection (1).

(4) By February 1 of the current fiscal year, the department shall provide a report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget director on the planned allocation of the funds appropriated for essential local public health services.

(5) The department shall continue implementation of the distribution formula for the allocation of essential local public health services funding to local health departments as specified by section 1234 of article X of 2018 PA 207.

(6) From the funds appropriated in part 1 for essential local public health services, each local public health department is allocated not less than the amount allocated to that local public health department during the previous fiscal year.

Sec. 1225. The department shall work with the Michigan health endowment fund corporation established under section 653 of the nonprofit health care corporation reform act, 1980 PA 350, MCL 550.1653, to explore ways to fund and evaluate current and future policies and programs.

Sec. 1226. From the funds appropriated in part 1 for chronic disease control and health promotion administration, $500,000.00 shall be allocated for a school children's healthy exercise program to promote and advance physical health for school children in kindergarten through grade 8. The department shall recommend model programs for sites to implement that incorporate evidence-based best practices. The department shall grant the funds appropriated in part 1 for before- and after-school programs. The department shall establish guidelines for program sites, which may include schools, community-based organizations, private facilities, recreation centers, or other similar sites. The program format shall encourage local determination of site activities and shall encourage local inclusion of youth in the decision-making regarding site activities. Program goals shall include children experiencing improved physical health and access to physical activity opportunities, the reduction of obesity, providing a safe place to play and exercise, and nutrition education. To be eligible to participate, program sites shall provide a 20% match to the state funding, which may be provided in full, or in part, by a corporation, foundation, or private partner. The department shall seek financial support from corporate, foundation, or other private partners for the program or for individual program sites.

Sec. 1227. The department shall establish criteria for all funds allocated for health and wellness initiatives. The criteria must include a requirement that all programs funded be evidence-based and supported by research, include interventions that have been shown to demonstrate outcomes that lower cost and improve quality, and be designed for statewide impact. Preference must be given to programs that utilize the funding as match for additional resources, including, but not limited to, federal sources.

Sec. 1231. (1) From the funds appropriated for local health services, up to $4,750,000.00 shall be allocated for grants to local public health departments to support PFAS response and emerging public health threat activities. A portion of the funding shall be allocated by the department in a collaborative fashion with local public health departments in jurisdictions experiencing PFAS contamination. The remainder of the funding shall be allocated to address infectious and vector-borne disease threats, and other environmental contamination issues such as vapor intrusion, drinking water contamination, and lead exposure. The funding shall be allocated to address issues including, but not limited to, staffing, planning and response, and creation and dissemination of materials related to PFAS contamination issues and other emerging public health issues and threats.

(2) By May 1 of the current fiscal year, the department shall provide a report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office on actual expenditures in the previous fiscal year and planned spending in the current fiscal year of the funds described in subsection (1), including recipient entities, amount of allocation, general category of allocation, and detailed uses.

Sec. 1232. The department may work to ensure that the United States Department of Defense shall reimburse the state for costs associated with PFAS and environmental contamination response at military training sites and support facilities.

Sec. 1233. General fund and state restricted fund appropriations in part 1 shall not be expended for PFAS and environmental contamination response where federal funding or private grant funding is available for the same expenditures.

Sec. 1238. The department shall establish a workgroup to determine the cost of establishing lead elimination and response. By March 1 of the current fiscal year, the department shall provide a report on the findings of the workgroup to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget director.

Sec. 1239. The department shall participate in and give necessary assistance to the Michigan PFAS action response team (MPART) pursuant to Executive Order No. 2019-03. The department shall collaborate with MPART and other departments to carry out appropriate activities, actions, and recommendations as coordinated by MPART. Efforts shall be continuous to ensure that the department's activities are not duplicative with activities of another department or agency.

Sec. 1240. From the funds appropriated in part 1 for chronic disease control and health promotion administration, $70,000.00 is allocated to support a rare disease review committee and responsibilities of the committee, which may include all of the following:

(a) Develop a list of rare diseases.

(b) Post the list of rare diseases on the department's website.

(c) Update the list of rare diseases every 2 years.

(d) Annually investigate and report to the legislature on 1 rare disease on the list, and include legislative recommendations in the report.

FAMILY HEALTH SERVICES

Sec. 1301. (1) Before April 1 of the current fiscal year, the department shall submit a report to the house and senate fiscal agencies and the state budget director on planned allocations from the amounts appropriated in part 1 for local MCH services, prenatal care outreach and service delivery support, family planning local agreements, and pregnancy prevention programs. Using applicable federal definitions, the report shall include information on all of the following:

(a) Funding allocations.

(b) Actual number of women, children, and adolescents served and amounts expended for each group for the immediately preceding fiscal year.

(c) A breakdown of the expenditure of these funds between urban and rural communities.

(2) The department shall ensure that the distribution of funds through the programs described in subsection (1) takes into account the needs of rural communities.

(3) For the purposes of this section, "rural" means a county, city, village, or township with a population of 30,000 or less, including those entities if located within a metropolitan statistical area.

Sec. 1302. Each family planning program receiving federal title X family planning funds under 42 USC 300 to 300a-8 shall be in compliance with all performance and quality assurance indicators that the office of population affairs within the United States Department of Health and Human Services specifies in the program guidelines for project grants for family planning services. An agency not in compliance with the indicators shall not receive supplemental or reallocated funds.

Sec. 1303. The department shall not contract with an organization that provides elective abortions, abortion counseling, or abortion referrals, for services that are to be funded with state restricted or state general fund/general purpose funds appropriated in part 1 for family planning local agreements. An organization

under contract with the department shall not subcontract with an organization that provides elective abortions, abortion counseling, or abortion referrals, for services that are to be funded with state restricted or state general fund/general purpose funds appropriated in part 1 for family planning local agreements.

Sec. 1304. The department shall not use state restricted funds or state general funds, or allow grantees or subcontractors to use those funds, appropriated in part 1 in the pregnancy prevention program or family planning local agreements appropriation line items for abortion counseling, referrals, or services.

Sec. 1305. (1) From the funds appropriated in part 1 for family planning local agreements and the pregnancy prevention program, the department shall not contract with or award grants to an entity that engages in 1 or more of the activities described in section 1(2) of 2002 PA 360, MCL 333.1091, if the entity is located in a county or health district where family planning or pregnancy prevention services are provided by the county, the health district, or a qualified entity that does not engage in any of the activities described in section 1(2) of 2002 PA 360, MCL 333.1091.

(2) The department shall give priority to counties or health districts where no contracts or grants currently exist for family planning or pregnancy prevention services before contracting with or awarding grants to an entity that engages in 1 or more of the activities described in section 1(2) of 2002 PA 360, MCL 333.1091, if that entity is located in a county where family planning and pregnancy prevention services are provided by the county, the health district, or another qualified entity that does not engage in the activities described in section 1(2) of 2002 PA 360, MCL 333.1091.

Sec. 1306. (1) From the funds appropriated in part 1 for the drinking water declaration of emergency, the department shall allocate funds to address needs in a city in which a declaration of emergency was issued because of drinking water contamination. These funds may support, but are not limited to, the following activities:

(a) Nutrition assistance, nutritional and community education, food bank resources, and food inspections.

(b) Epidemiological analysis and case management of individuals at risk of elevated blood lead levels.

(c) Support for child and adolescent health centers, children's healthcare access program, and pathways to potential programming.

(d) Nursing services, breastfeeding education, evidence-based home visiting programs, intensive services, and outreach for children exposed to lead coordinated through local community mental health organizations.

(e) Department field operations costs.

(f) Lead poisoning surveillance, investigations, treatment, and abatement.

(g) Nutritional incentives provided to local residents through the double up food bucks expansion program.

(h) Genesee County health department food inspectors to perform water testing at local food service establishments.

(i) Transportation related to health care delivery.

(j) Senior initiatives.

(k) Lead abatement contractor workforce development.

(2) From the funds appropriated in part 1 for the drinking water declaration of emergency, the department shall allocate $300,000.00 for Revive Community Health Center for health support services as the center pursues certification as a federally qualified health center.

(3) From the funds appropriated in part 1 for the drinking water declaration of emergency, the department shall allocate $500,000.00 for rides to wellness through the Flint mass transportation authority.

Sec. 1308. From the funds appropriated in part 1 for prenatal care outreach and service delivery support, not less than $500,000.00 of funding shall be allocated for evidence-based programs to reduce infant mortality including nurse family partnership programs. The funds shall be used for enhanced support and education to nursing teams or other teams of qualified health professionals, client recruitment in areas designated as underserved for obstetrical and gynecological services and other high-need communities, strategic planning to expand and sustain programs, and marketing and communications of programs to raise awareness, engage stakeholders, and recruit nurses.

Sec. 1309. The department shall allocate funds appropriated in section 117 of part 1 for family, maternal, and child health according to section 1 of 2002 PA 360, MCL 333.1091.

Sec. 1310. Each family planning program receiving federal title X family planning funds under 42 USC 300 to 300a-8 must be in compliance with all title X rules established by the Office of Population Affairs within the United States Department of Health and Human Services. The department shall monitor all title X family planning programs to ensure compliance with all federal title X rules. An agency not in compliance with the rules shall not receive supplemental or reallocated funds.

Sec. 1311. From the funds appropriated in part 1 for prenatal care outreach and service delivery support, not less than $2,750,000.00 state general fund/general purpose funds shall be allocated for a rural home visit program. Equal consideration shall be given to all eligible evidence-based providers in all regions in contracting for rural home visitation services.

Sec. 1312. From the funds appropriated in part 1 for prenatal care and premature birth avoidance grant, the department shall allocate $1,000,000.00 as a grant to help fulfill contract obligations between the department and a federal Healthy Start Program located in a county with a population between 600,000 and 610,000 according to the most recent decennial census. To be eligible to receive funding, the organization must be a partnership between various health agencies, and utilize a social impact bonding strategy approved by the department to enhance support to underserved populations for prenatal care and premature birth avoidance.

Sec. 1313. (1) The department shall continue developing an outreach program on fetal alcohol syndrome services, targeting health promotion, prevention, and intervention as described in the Michigan fetal alcohol spectrum disorders 5-year plan 2015-2020.

(2) The department shall explore federal grant funding to address prevention services for fetal alcohol syndrome and reduce alcohol consumption among pregnant women.

(3) By February 1 of the current fiscal year, the department shall provide a report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office on planned spending of appropriations within the department budget for fetal alcohol syndrome projects and services, including appropriation line item, agency or recipient entities, amount and purpose of allocation, and detailed uses. The report shall include a summary of outcomes accomplished by the funding investments and metrics used to determine outcomes, if available.

Sec. 1314. The department shall seek to enhance education and outreach efforts that encourage women of childbearing age to seek confirmation at the earliest indication of possible pregnancy and initiate continuous and routine prenatal care upon confirmation of pregnancy. The department shall seek to ensure that department programs, policies, and practices promote prenatal and obstetrical care by doing the following:

(a) Supporting access to care.

(b) Reducing and eliminating barriers to care.

(c) Supporting recommendations for best practices.

(d) Encouraging optimal prenatal habits such as prenatal medical visits, use of prenatal vitamins, and cessation of use of tobacco, alcohol, or drugs.

(e) Tracking of birth outcomes to study improvements in prevalence of fetal drug addiction, fetal alcohol syndrome, and other preventable neonatal disease.

(f) Tracking of maternal increase in healthy behaviors following childbirth.

Sec. 1315. (1) From the funds appropriated in part 1 for dental programs, $150,000.00 shall be allocated to the Michigan Dental Association for the administration of a volunteer dental program that provides dental services to the uninsured.

(2) By December 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on health policy, the senate and house fiscal agencies, and the state budget office the number of individual patients treated, number of procedures performed, and approximate total market value of those procedures from the previous fiscal year.

Sec. 1316. The department shall use revenue from mobile dentistry facility permit fees received under section 21605 of the public health code, 1978 PA 368, MCL 333.21605, to offset the cost of the permit program.

Sec. 1317. (1) From the funds appropriated in part 1 for dental programs, $1,550,000.00 of general fund/general purpose revenue and any associated federal match shall be distributed to local health departments who partner with a qualified nonprofit provider of dental services for the purpose of providing high-quality dental homes for seniors, children, and adults enrolled in Medicaid, and low-income uninsured.

(2) In order to be considered a qualified nonprofit provider of dental services, the provider must demonstrate the following:

(a) An effective health insurance enrollment process for uninsured patients.

(b) An effective process of charging patients on a sliding scale based on the patient's ability to pay.

(c) Utilization of additional fund sources including, but not limited to, federal Medicaid matching funds.

(3) Providers shall report to the department by September 30 of the current fiscal year on outcomes and performance measures for the program under this section including, but not limited to, the following:

(a) The number of uninsured patients who visited a participating dentist over the previous year, broken down between adults and children.

(b) The number of patients assisted with health insurance enrollment, broken down between adults and children.

(c) A 5-year trend of the number of uninsured patients being served, broken down between adults and children.

(d) The number of unique patient visits by center.

(e) The number of unique Medicaid or Healthy Michigan plan patients served broken down by center.

(f) The number of children, seniors, and veterans served broken down by center.

(g) The total value of services rendered by the organization broken down by center.

(4) Within 15 days after receipt of the report required in subsection (3), the department shall provide a copy of the report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office.

Sec. 1319. It is the intent of the legislature that the department develop an oral health screening and assessment program for children entering school, and pursue alternative funding sources to aid in financing the program.

Sec. 1320. It is the intent of the legislature that funds appropriated in part 1 that may be expended for a public media campaign regarding publicly funded family planning or pregnancy prevention services shall not be used to communicate in that media campaign any message that implies, states, or can be interpreted to mean that abortion is a method of family planning or pregnancy prevention.

Sec. 1322. The department shall provide a report by April 15 of the current fiscal year to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on state immunization policy and practices. The report shall include all of the following items:

(a) A list of recommended vaccinations.

(b) The basis and rationale for inclusion of each listed item.

(c) The indicators, measures, and performance outcomes that document improvement in human health for each listed item.

Sec. 1341. The department shall utilize income eligibility and verification guidelines established by the Food and Nutrition Service agency of the United States Department of Agriculture in determining eligibility of individuals for the special supplemental nutrition program for women, infants, and children (WIC) as stated in current WIC policy.

CHILDREN'S SPECIAL HEALTH CARE SERVICES

Sec. 1360. The department may do 1 or more of the following:

(a) Provide special formula for eligible clients with specified metabolic and allergic disorders.

(b) Provide medical care and treatment to eligible patients with cystic fibrosis who are 21 years of age or older.

(c) Provide medical care and treatment to eligible patients with hereditary coagulation defects, commonly known as hemophilia, who are 21 years of age or older.

(d) Provide human growth hormone to eligible patients.

(e) Provide mental health care for mental health needs that result from, or are a symptom of, the individual's qualifying medical condition.

Sec. 1361. From the funds appropriated in part 1 for medical care and treatment, the department may spend those funds for the continued development and expansion of telemedicine capacity to allow families with children in the children's special health care services program to access specialty providers more readily and in a more timely manner. The department may spend funds to support chronic complex care management of children enrolled in the children's special health care services program to minimize hospitalizations and reduce costs to the program while improving outcomes and quality of life.

AGING AND ADULT SERVICES AGENCY

Sec. 1402. The department may encourage the Food Bank Council of Michigan to collaborate directly with each area agency on aging and any other organizations that provide senior nutrition services to secure the food access of vulnerable seniors.

Sec. 1403. (1) By February 1 of the current fiscal year, the aging and adult services agency shall require each region to report to the aging and adult services agency and to the legislature home-delivered meals waiting lists based upon standard criteria. Determining criteria shall include all of the following:

(a) The recipient's degree of frailty.

(b) The recipient's inability to prepare his or her own meals safely.

(c) Whether the recipient has another care provider available.

(d) Any other qualifications normally necessary for the recipient to receive home-delivered meals.

(2) Data required in subsection (1) shall be recorded only for individuals who have applied for participation in the home-delivered meals program and who are initially determined as likely to be eligible for home-delivered meals.

Sec. 1417. The department shall provide to the senate and house appropriations subcommittees on the department budget, senate and house fiscal agencies, and state budget director a report by March 30 of the current fiscal year that contains all of the following:

(a) The total allocation of state resources made to each area agency on aging by individual program and administration.

(b) Detail expenditure by each area agency on aging by individual program and administration including both state-funded resources and locally funded resources.

Sec. 1421. From the funds appropriated in part 1 for community services, $1,100,000.00 shall be allocated to area agencies on aging for locally determined needs.

Sec. 1422. (1) From the funds appropriated in part 1 for aging and adult services administration, not less than $300,000.00 shall be allocated for the department to contract with the Prosecuting Attorneys Association of Michigan to provide the support and services necessary to increase the capability of the state's prosecutors, adult protective service system, and criminal justice system to effectively identify, investigate, and prosecute elder abuse and financial exploitation.

(2) By March 1 of the current fiscal year, the Prosecuting Attorneys Association of Michigan shall provide a report on the efficacy of the contract to the state budget office, the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices.

Sec. 1425. The department shall coordinate with the department of licensing and regulatory affairs to ensure that, upon receipt of the order of suspension of a licensed adult foster care home, home for the aged, or nursing home, the department of licensing and regulatory affairs shall provide notice to the department, to the house and senate appropriations subcommittees on the department budget, and to the members of the house and senate that represent the legislative districts of the county in which the facility lies.

Sec. 1426. From the funds appropriated in part 1 for community services, $40,000.00 shall be allocated for a senior call check pilot program. The purpose of the pilot program is to allow an older person to voluntarily sign up to receive a daily or weekly automated call checking on the older person's well-being and possible conversation with an individual. The department shall provide online and toll-free telephone options for signing up for the pilot program. The program shall be available to all residents of this state age 60 or over and shall target isolated or homebound seniors to provide a check on mental health, physical health and wellness, and address feelings of loneliness or depression.

MEDICAL SERVICES ADMINISTRATION

Sec. 1501. (1) The unexpended funds appropriated in part 1 for the electronic health records incentive program are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the work project is to implement the Medicaid electronic health record program that provides financial incentive payments to Medicaid health care providers to encourage the adoption and meaningful use of electronic health records to improve quality, increase efficiency, and promote safety.

(b) The projects will be accomplished by utilizing state employees or contracts with service providers, or both, and according to the approved federal advanced planning document.

(c) The total estimated cost of the work project is $37,477,500.00.

(d) The tentative completion date is September 30, 2025.

(2) It is the intent of the legislature that dental providers be eligible for the funds available in part 1 for the Medicaid electronic health records incentive program, and that distributions of the funds be made to assist eligible dental providers to implement Medicaid electronic health records.

Sec. 1505. By March 1 of the current fiscal year, the department shall submit a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office on the actual reimbursement savings and cost offsets that have resulted from the funds appropriated in part 1 for the office of inspector general and third party liability efforts in the previous fiscal year.

Sec. 1506. The department shall submit to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office quarterly reports on the implementation status of the public assistance call center that include all of the following information:

(a) Call volume during the prior quarter.

(b) Percentage of calls resolved through the public assistance call center.

(c) Percentage of calls transferred to a local department office or other office for resolution.

Sec. 1507. From the funds appropriated in part 1 for office of inspector general, the inspector general shall audit and recoup inappropriate or fraudulent payments from Medicaid managed care organizations to health care providers. Unless authorized by federal or state law, the department shall not fine, temporarily halt operations of, disenroll as a Medicaid provider, or terminate a managed care organization or health care provider from providing services due to the discovery of an inappropriate payment found during the course of an audit.

Sec. 1509. By September 30 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the implementation of employment-related activity requirements for medical assistance. The report shall include, but is not limited to, the number of recipients who are noncompliant with the required self-sufficiency goals, an explanation of the actions undertaken, and the number of recipients subject to employment-related activity requirements.

Sec. 1511. On a monthly basis, the department shall work with the department of labor and economic opportunity to report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the utilization of workforce development programs by Healthy Michigan plan recipients through Michigan Works! The report shall include, but not be limited to, all of the following:

(a) The number of recipients currently receiving employment supports and services through workforce development programs.

(b) The total year-to-date number of recipients who have received employment supports and services through workforce development programs.

(c) The number of recipients who secured employment in this state after receiving employment supports and services through workforce development programs.

(d) A summary of employment supports and services provided to recipients through workforce development programs.

Sec. 1512. The department shall update the Medicaid utilization and net cost report to separate nonclinical administrative costs from actual claims and encounters.

Sec. 1513. (1) The department shall participate in a workgroup to determine an equitable and adequate reimbursement methodology for Medicaid inpatient psychiatric hospital care. The workgroup shall include representatives from the department, CMHSPs, PIHPs, the Michigan Association of Health Plans, the Michigan Health and Hospital Association, inpatient psychiatric facilities, Blue Cross Blue Shield of Michigan, the Community Mental Health Association of Michigan, and other individuals or organizations as determined appropriate by the department.

(2) By September 30 of the current fiscal year, the workgroup shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the implementation of recommendations made by the workgroup required by section 1513 of 2019 PA 67. The report shall include, but is not limited to, the following:

(a) Descriptions of the recommendations being implemented.

(b) Descriptions of the recommendations not being implemented and barriers preventing implementation.

(3) The department shall assist in providing data to inform the workgroup discussion, assist in modeling appropriate reimbursement methods, and assist in developing the final report.

Sec. 1514. From the funds appropriated in part 1 for medical services administration, the department shall allocate $300,000.00 general fund/general purpose revenue and any associated federal match to support a predictive modeling tool to improve provider billing accuracy and reduce fraud, waste, and abuse in the Medicaid program. The tool must provide a prepayment cost avoidance solution that uses statistical predictive modeling techniques to identify outlier claims.

Sec. 1515. A qualified job placement agency may request contact information from the department for Healthy Michigan plan recipients subject to the workforce engagement requirements program in section 107b of the social welfare act, 1939 PA 280, MCL 400.107b, for the geographic region the agency services, who have not verified their employment in the previous quarter and are at risk of losing Medicaid benefits as a result of failure by the recipient to verify employment. This contact information shall not include personal health information or extensive personal identifying information. For the purposes of this section, a "qualified job placement agency" means a regional Michigan Works! agency or another nonprofit, governmental, or quasi-governmental body that provides job placement assistance as designated by the department.

MEDICAL SERVICES

Sec. 1601. The cost of remedial services incurred by residents of licensed adult foster care homes and licensed homes for the aged shall be used in determining financial eligibility for the medically needy. Remedial services include basic self-care and rehabilitation training for a resident.

Sec. 1605. The protected income level for Medicaid coverage determined pursuant to section 106(1)(b)(*iii*) of the social welfare act, 1939 PA 280, MCL 400.106, shall be 100% of the related public assistance standard.

Sec. 1606. For the purpose of guardian and conservator charges, the department may deduct up to $83.00 per month as an allowable expense against a recipient's income when determining medical services eligibility and patient pay amounts.

Sec. 1607. (1) An applicant for Medicaid, whose qualifying condition is pregnancy, shall immediately be presumed to be eligible for Medicaid coverage unless the preponderance of evidence in her application indicates otherwise. The applicant who is qualified as described in this subsection shall be allowed to select or remain with the Medicaid participating obstetrician of her choice.

(2) All qualifying applicants shall be entitled to receive all medically necessary obstetrical and prenatal care without preauthorization from a health plan. All claims submitted for payment for obstetrical and prenatal care shall be paid at the Medicaid fee-for-service rate in the event a contract does not exist between the Medicaid participating obstetrical or prenatal care provider and the managed care plan. The applicant shall receive a listing of Medicaid physicians and managed care plans in the immediate vicinity of the applicant's residence.

(3) In the event that an applicant, presumed to be eligible pursuant to subsection (1), is subsequently found to be ineligible, a Medicaid physician or managed care plan that has been providing pregnancy services to an applicant under this section is entitled to reimbursement for those services until such time as they are notified by the department that the applicant was found to be ineligible for Medicaid.

(4) If the preponderance of evidence in an application indicates that the applicant is not eligible for Medicaid, the department shall refer that applicant to the nearest public health clinic or similar entity as a potential source for receiving pregnancy-related services.

(5) The department shall develop an enrollment process for pregnant women covered under this section that facilitates the selection of a managed care plan at the time of application.

(6) The department shall mandate enrollment of women, whose qualifying condition is pregnancy, into Medicaid managed care plans.

(7) The department shall encourage physicians to provide women, whose qualifying condition for Medicaid is pregnancy, with a referral to a Medicaid participating dentist at the first pregnancy-related appointment.

Sec. 1611. (1) For care provided to medical services recipients with other third-party sources of payment, medical services reimbursement shall not exceed, in combination with such other resources, including Medicare, those amounts established for medical services-only patients. The medical services payment rate shall be accepted as payment in full. Other than an approved medical services co-payment, no portion of a provider's charge shall be billed to the recipient or any person acting on behalf of the recipient. Nothing in this section shall be considered to affect the level of payment from a third-party source other than the medical services program. The department shall require a nonenrolled provider to accept medical services payments as payment in full.

(2) Notwithstanding subsection (1), medical services reimbursement for hospital services provided to dual Medicare/medical services recipients with Medicare part B coverage only shall equal, when combined with payments for Medicare and other third-party resources, if any, those amounts established for medical services-only patients, including capital payments.

Sec. 1615. (1) To minimize errors and overpayments, and to ensure the quality of actuarial rate setting of capitated rates, the department shall provide effective oversight and ensure the integrity of encounter claims submitted to the department by Medicaid health plans.

(2) The department may require Medicaid health plans to provide medical records to support claims data, upon request by the department. This subsection shall not require the disclosure of personal identifying information or any information that would be in violation of the health insurance portability and accountability act of 1996, Public Law 104-191.

(3) It is the intent of the legislature that the department perform annual internal audits of Medicaid claims provided by Medicaid health plans and report the findings to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office. Internal audits performed under this subsection shall be conducted utilizing quantitative methodologies that provide for valid statistical results to include, but not be limited to, minimizing the impact of selection bias and insufficient sample sizes.

(4) If an internal audit performed in accordance with this section identifies discrepancies in the quality of actuarial rates, the department shall develop and implement actuarial procedures to reconcile encounter claims data and shall provide for a publicly available explanation of these procedures on the department's website.

Sec. 1620. (1) For fee-for-service Medicaid claims, the professional dispensing fee for drugs indicated as specialty medications on the Michigan pharmaceutical products list is $20.02 or the pharmacy's usual or customary cash charge, whichever is less.

(2) For fee-for-service Medicaid claims, for drugs not indicated as specialty drugs on the Michigan pharmaceutical products list, the professional dispensing fee for medications is as follows:

(a) For medications indicated as preferred on the department's preferred drug list, $10.80 or the pharmacy's usual or customary cash charge, whichever is less.

(b) For medications not on the department's preferred drug list, $10.64 or the pharmacy's usual or customary cash charge, whichever is less.

(c) For medications indicated as nonpreferred on the department's preferred drug list, $9.00 or the pharmacy's usual or customary cash charge, whichever is less.

(3) The department shall require a prescription co-payment for Medicaid recipients not enrolled in the Healthy Michigan plan or with an income less than 100% of the federal poverty level of $1.00 for a generic drug indicated as preferred on the department's preferred drug list and $3.00 for a brand-name drug indicated as nonpreferred on the department's preferred drug list, except as prohibited by federal or state law or regulation.

(4) The department shall require a prescription co-payment for Medicaid recipients enrolled in the Healthy Michigan plan with an income of at least 100% of the federal poverty level of $4.00 for a generic drug indicated as preferred on the department's preferred drug list and $8.00 for a brand-name drug indicated as nonpreferred on the department's preferred drug list, except as prohibited by federal or state law or regulation.

Sec. 1625. (1) Beginning February 1, 2021, the department shall not enter into any contract with a Medicaid managed care organization that relies on a pharmacy benefit manager that does not do all of the following:

(a) For pharmacies with not more than 7 retail outlets, utilizes a pharmacy reimbursement methodology of the national average drug acquisition cost plus a professional dispensing fee comparable to the applicable professional dispensing fee provided through section 1620. The pharmacy benefit manager or the involved pharmacy services administrative organization shall not receive any portion of the additional professional dispensing fee. The department shall identify the pharmacies this subdivision applies to and provide the list of applicable pharmacies to the Medicaid managed care organizations.

(b) For pharmacies with not more than 7 retail outlets, utilizes a pharmacy reimbursement methodology, when a national average drug acquisition cost price is not available, for brand drugs of the lesser of the wholesale acquisition cost, the average wholesale price less 16.7% plus a professional dispensing fee comparable to the applicable professional dispensing fee provided through section 1620, or the usual and customary charge by the pharmacy. The department shall identify the pharmacies this subdivision applies to and provide the list of applicable pharmacies to the Medicaid managed care organizations.

(c) For pharmacies with not more than 7 retail outlets, utilizes a pharmacy reimbursement methodology, when a national average drug acquisition cost price is not available, for generic drugs of the lesser of wholesale acquisition cost plus a professional dispensing fee comparable to the applicable professional dispensing fee provided through section 1620, average wholesale price less 30.0% plus a professional dispensing fee comparable to the applicable professional dispensing fee provided through section 1620, or the usual and customary charge by the pharmacy. The department shall identify the pharmacies this subdivision applies to and provide the list of applicable pharmacies to the Medicaid managed care organizations.

(d) Reimburses for a legally valid claim at a rate not less than the rate in effect at the time the original claim adjudication as submitted at the point of sale.

(e) Agrees to move to a transparent "pass-through" pricing model, in which the pharmacy benefit manager discloses the administrative fee as a percentage of the professional dispensing costs to the department.

(f) Agrees to not create new pharmacy administration fees and to not increase current fees more than the rate of inflation. This subdivision does not apply to any federal rule or action that creates a new fee.

(g) Agrees to not terminate an existing contract with a pharmacy with not more than 7 retail outlets for the sole reason of the additional professional dispensing fee authorized under this section.

(2) Nothing in this section shall prohibit a Medicaid managed care organization from implementing this section before February 1, 2021.

Sec. 1626. (1) By January 15 of the current fiscal year, each pharmacy benefit manager that receives reimbursements, either directly or through a Medicaid health plan, from the funds appropriated in part 1 for medical services must submit all of the following information to the department for the previous fiscal year:

(a) The total number of prescriptions that were dispensed.

(b) The aggregate wholesale acquisition cost for each drug on its formulary.

(c) The aggregate amount of rebates, discounts, and price concessions that the pharmacy benefit manager received for each drug on its formulary. The amount of rebates shall include any utilization discounts the pharmacy benefit manager receives from a manufacturer.

(d) The aggregate amount of administrative fees that the pharmacy benefit manager received from all pharmaceutical manufacturers.

(e) The aggregate amount identified in subdivisions (b) and (c) that were retained by the pharmacy benefit manager and did not pass through to the department or to the Medicaid health plan.

(f) The aggregate amount of reimbursements the pharmacy benefit manager pays to contracting pharmacies.

(g) Any other information as deemed necessary by the department.

(2) By March 1 of the current fiscal year, the department shall submit the information provided under subsection (1) to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office.

(3) Any nonaggregated information submitted under this section shall be confidential and shall not be disclosed to any person by the department. Such information shall not be deemed a public record of the department.

Sec. 1629. The department shall utilize maximum allowable cost pricing for generic drugs that is based on wholesaler pricing to providers that is available from at least 2 wholesalers who deliver in this state.

Sec. 1631. (1) The department shall require co-payments on dental, podiatric, and vision services provided to Medicaid recipients, except as prohibited by federal or state law or regulation.

(2) Except as otherwise prohibited by federal or state law or regulation, the department shall require Medicaid recipients not enrolled in the Healthy Michigan plan or with an income less than 100% of the federal poverty level to pay not less than the following co-payments:

(a) Two dollars for a physician office visit.

(b) Three dollars for a hospital emergency room visit.

(c) Fifty dollars for the first day of an inpatient hospital stay.

(d) Two dollars for an outpatient hospital visit.

(3) Except as otherwise prohibited by federal or state law or regulation, the department shall require Medicaid recipients enrolled in the Healthy Michigan plan with an income of at least 100% of the federal poverty level to pay the following co-payments:

(a) Four dollars for a physician office visit.

(b) Eight dollars for a hospital emergency room visit.

(c) One hundred dollars for the first day of an inpatient hospital stay.

(d) Four dollars for an outpatient hospital visit or any other medical provider visit to the extent allowed by federal or state law or regulation.

Sec. 1641. An institutional provider that is required to submit a cost report under the medical services program shall submit cost reports completed in full within 5 months after the end of its fiscal year.

Sec. 1645. (1) It is the intent of the legislature that the department establish the class I nursing facility current asset value bed limit based on the rolling 15-year history of new construction.

(2) It is the intent of the legislature that, for the fiscal year beginning October 1, 2020, the department modify the class I nursing facility current asset value bed limit based on the rolling 15-year history of new construction. The increase in the current asset value bed limit shall not exceed 4% of the limit for the fiscal year beginning October 1, 2019.

Sec. 1646. (1) From the funds appropriated in part 1 for long-term care services, the department shall continue to administer a nursing facility quality measure initiative program. The initiative shall be financed through the quality assurance assessment for nursing homes and hospital long-term care units, and the funds shall be distributed according to the following criteria:

(a) The department shall award more dollars to nursing facilities that have a higher CMS 5-star quality measure domain rating, then adjusted to account for both positive and negative aspects of a patient satisfaction survey.

(b) A nursing facility with a CMS 5-star quality measure domain star rating of 1 or 2 must file an action plan with the department describing how it intends to use funds appropriated under this section to increase quality outcomes before funding shall be released.

(c) The total incentive dollars must reflect the following Medicaid utilization scale:

(*i*) For nursing facilities with a Medicaid participation rate of above 63%, the facility shall receive 100% of the incentive payment.

(*ii*) For nursing facilities with a Medicaid participation rate between 50% and 63%, the facility shall receive 75% of the incentive payment.

(*iii*) For nursing facilities with a Medicaid participation rate of less than 50%, the facility shall receive a payment proportionate to their Medicaid participation rate.

(*iv*) For nursing facilities not enrolled in Medicaid, the facility shall not receive an incentive payment.

(d) Facilities designated as special focus facilities are not eligible for any payment under this section.

(e) Number of licensed beds.

(2) The department and nursing facility representatives shall evaluate the quality measure incentive program's effectiveness on quality, measured by the change in the CMS 5-star quality measure domain rating

since the implementation of quality measure incentive program. By March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices on the findings of the evaluation.

Sec. 1657. (1) Reimbursement for medical services to screen and stabilize a Medicaid recipient, including stabilization of a psychiatric crisis, in a hospital emergency room shall not be made contingent on obtaining prior authorization from the recipient's HMO. If the recipient is discharged from the emergency room, the hospital shall notify the recipient's HMO within 24 hours of the diagnosis and treatment received.

(2) If the treating hospital determines that the recipient will require further medical service or hospitalization beyond the point of stabilization, that hospital shall receive authorization from the recipient's HMO prior to admitting the recipient.

(3) Subsections (1) and (2) do not require an alteration to an existing agreement between an HMO and its contracting hospitals and do not require an HMO to reimburse for services that are not considered to be medically necessary.

Sec. 1662. (1) The department shall ensure that an external quality review of each contracting HMO is performed that results in an analysis and evaluation of aggregated information on quality, timeliness, and access to health care services that the HMO or its contractors furnish to Medicaid beneficiaries.

(2) The department shall require Medicaid HMOs to provide EPSDT utilization data through the encounter data system, and HEDIS well child health measures in accordance with the National Committee for Quality Assurance prescribed methodology.

(3) The department shall provide a copy of the analysis of the Medicaid HMO annual audited HEDIS reports and the annual external quality review report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget director, within 30 days of the department's receipt of the final reports from the contractors.

Sec. 1670. (1) The appropriation in part 1 for the MIChild program is to be used to provide comprehensive health care to all children under age 19 who reside in families with income at or below 212% of the federal poverty level, who are uninsured and have not had coverage by other comprehensive health insurance within 6 months of making application for MIChild benefits, and who are residents of this state. The department shall develop detailed eligibility criteria through the medical services administration public concurrence process, consistent with the provisions of this part and part 1.

(2) The department may provide up to 1 year of continuous eligibility to children eligible for the MIChild program unless the family fails to pay the monthly premium, a child reaches age 19, or the status of the children's family changes and its members no longer meet the eligibility criteria as specified in the state plan.

(3) The department may make payments on behalf of children enrolled in the MIChild program as described in the MIChild state plan approved by the United States Department of Health and Human Services, or from other medical services.

Sec. 1673. The department may establish premiums for MIChild eligible individuals in families with income at or below 212% of the federal poverty level. The monthly premiums shall be $10.00 per month.

Sec. 1677. The MIChild program shall provide, at a minimum, all benefits available under the Michigan benchmark plan that are delivered through contracted providers and consistent with federal law, including, but not limited to, the following medically necessary services:

(a) Inpatient mental health services, other than substance use disorder treatment services, including services furnished in a state-operated mental hospital and residential or other 24-hour therapeutically planned structured services.

(b) Outpatient mental health services, other than substance use disorder services, including services furnished in a state-operated mental hospital and community-based services.

(c) Durable medical equipment and prosthetic and orthotic devices.

(d) Dental services as outlined in the approved MIChild state plan.

(e) Substance use disorder treatment services that may include inpatient, outpatient, and residential substance use disorder treatment services.

(f) Care management services for mental health diagnoses.

(g) Physical therapy, occupational therapy, and services for individuals with speech, hearing, and language disorders.

(h) Emergency ambulance services.

Sec. 1682. (1) In addition to the appropriations in part 1, the department is authorized to receive and spend penalty money received as the result of noncompliance with medical services certification regulations. Penalty money, characterized as private funds, received by the department shall increase authorizations and allotments in the long-term care accounts.

(2) Any unexpended penalty money, at the end of the year, shall carry forward to the following year.

Sec. 1692. (1) The department is authorized to pursue reimbursement for eligible services provided in Michigan schools from the federal Medicaid program. The department and the state budget director are authorized to negotiate and enter into agreements, together with the department of education, with local and intermediate school districts regarding the sharing of federal Medicaid services funds received for these services. The department is authorized to receive and disburse funds to participating school districts pursuant to such agreements and state and federal law.

(2) From the funds appropriated in part 1 for medical services school-based services payments, the department is authorized to do all of the following:

(a) Finance activities within the medical services administration related to this project.

(b) Reimburse participating school districts pursuant to the fund-sharing ratios negotiated in the state-local agreements authorized in subsection (1).

(c) Offset general fund costs associated with the medical services program.

Sec. 1693. The special Medicaid reimbursement appropriation in part 1 may be increased if the department submits a medical services state plan amendment pertaining to this line item at a level higher than the appropriation. The department is authorized to appropriately adjust financing sources in accordance with the increased appropriation.

Sec. 1694. From the funds appropriated in part 1 for special Medicaid reimbursement, $1,121,400.00 of general fund/general purpose revenue and any associated federal match shall be distributed for poison control services to an academic health care system that has a high indigent care volume.

Sec. 1696. It is the intent of the legislature that if an applicant for Medicaid coverage through the Healthy Michigan plan received medical coverage in the previous fiscal year through traditional Medicaid, and is still eligible for coverage through traditional Medicaid, the applicant is not eligible to receive coverage through the Healthy Michigan plan.

Sec. 1697. The department shall require that Medicaid health plans administering Healthy Michigan plan benefits maintain a network of dental providers in sufficient numbers, mix, and geographic locations throughout their respective service areas in order to provide adequate dental care for Healthy Michigan plan enrollees.

Sec. 1699. (1) The department may make separate payments in the amount of $45,000,000.00 directly to qualifying hospitals serving a disproportionate share of indigent patients and to hospitals providing GME training programs. If direct payment for GME and DSH is made to qualifying hospitals for services to Medicaid recipients, hospitals shall not include GME costs or DSH payments in their contracts with HMOs.

(2) The department shall allocate $45,000,000.00 in DSH funding using the distribution methodology used in fiscal year 2003-2004.

Sec. 1700. By December 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office on the distribution of funding provided, and the net benefit if the special hospital payment is not financed with general fund/general purpose revenue, to each eligible hospital during the previous fiscal year from the following special hospital payments:

(a) DSH, separated out by unique DSH pool.

(b) GME.

(c) Special rural hospital payments provided under section 1802(2) of this part.

(d) Lump-sum payments to rural hospitals for obstetrical care provided under section 1802(1) of this part.

Sec. 1702. From the funds appropriated in part 1, the department shall provide a 10% rate increase for private duty nursing services for Medicaid beneficiaries under the age of 21. These additional funds must be used to attract and retain highly qualified registered nurses and licensed practical nurses to provide private duty nursing services so that medically frail children can be cared for in the most homelike setting possible.

Sec. 1704. (1) From the funds appropriated in part 1 for health plan services, the department shall maintain the Medicaid adult dental benefit for pregnant women enrolled in a Medicaid program.

(2) By April 15 of the current fiscal year, the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office on the following:

(a) The number of pregnant women enrolled in Medicaid who visited a dentist over the prior year.

(b) The number of dentists statewide who participate in providing dental services to pregnant women enrolled in Medicaid.

Sec. 1757. The department shall obtain proof from all Medicaid recipients that they are legal United States citizens or otherwise legally residing in this country and that they are residents of this state before approving Medicaid eligibility.

Sec. 1763. It is the intent of the legislature that upon expiration of contract no. 071b7700073, the department shall issue an RFP for a 3-year contract for actuarial services, including, but not limited to, capitation rate setting for Medicaid and the Healthy Michigan plan. The department shall notify the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices on what vendors submitted bids for the contract, which vendor received the contract, the evaluation process, and the criteria used by the department in awarding the contract for actuarial services.

Sec. 1764. The department shall annually certify whether rates paid to Medicaid health plans and specialty PIHPs are actuarially sound in accordance with federal requirements and shall provide a copy of the rate certification and approval of rates paid to Medicaid health plans and specialty PIHPs within 5 business days after certification or approval to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office. Following the rate certification, the department shall ensure that no new or revised state Medicaid policy bulletin that is promulgated materially impacts the capitation rates that have been certified in a negative manner.

Sec. 1775. (1) By March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office on progress in implementing the waiver to implement managed care for individuals who are eligible for both Medicare and Medicaid, known as MI Health Link, including any problems and potential solutions as identified by the ombudsman described in subsection (2).

(2) The department shall ensure the existence of an ombudsman program that is not associated with any project service manager or provider to assist MI Health Link beneficiaries with navigating complaint and dispute resolution mechanisms and to identify problems in the demonstrations and in the complaint and dispute resolution mechanisms.

Sec. 1782. Subject to federal approval, from the funds appropriated in part 1 for health plan services, the department shall allocate $740,000.00 general fund/general purpose plus any available work project funds and federal match through an administered contract with oversight from Medical Services Administration and Public Health Administration. The funds shall be used to support a statewide media campaign for improving this state's immunization rates.

Sec. 1790. The department shall increase the practitioner rates paid for current procedural terminology (CPT) codes 90791 through 90899 for psychiatric procedures through Medicaid fee-for-service and through the comprehensive Medicaid health plans by 15%, compared to the October 2019 fee schedule, for psychiatric procedures provided for Medicaid recipients under the age of 21. It is the intent of the legislature that the CPT specific rates paid through the comprehensive Medicaid health plans are not increased by a uniform 15% but reflect the greater of either the actual rates paid during the previous fiscal year or 100% of the Medicare rate received for those services on the date the services are provided.

Sec. 1791. From the funds appropriated in part 1 for health plan services and physician services, the department shall provide Medicaid reimbursement rates for neonatal services at 95% of the Medicare rate received for those services in effect on the date the services are provided to eligible Medicaid recipients. The current procedural terminology (CPT) codes that are eligible for this reimbursement rate increase are 99468, 99469, 99471, 99472, 99475, 99476, 99477, 99478, 99479, and 99480.

Sec. 1792. By April 30 of the current fiscal year, the department shall evaluate pharmacy encounter data through the first 2 quarters of the fiscal year to determine, in consultation with the Medicaid health plans, if rates must be recertified. By May 30 of the current fiscal year, the department shall report the evaluation results to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, the state budget office, and the Medicaid health plans.

Sec. 1801. (1) From the funds appropriated in part 1 for physician services and health plan services, the department shall continue the increase to Medicaid rates for primary care services provided only by primary care providers. For the purpose of this section, a primary care provider is a physician, or a practitioner working in collaboration with a physician, who is either licensed under part 170 or part 175 of the public health code, 1978 PA 368, MCL 333.17001 to 333.17097 and 333.17501 to 333.17556, and working as a primary care provider in general practice or board-eligible or certified with a specialty designation of family medicine, general internal medicine, or pediatric medicine, or a provider who provides the department with documentation of equivalency. Providers performing a service and whose primary practice is as a non-primary-care subspecialty is not eligible for the increase. The department shall establish policies that most effectively limit the increase to primary care providers for primary care services only.

(2) By March 1 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a list of medical specialties that were paid enhanced primary care rates in the fiscal year ending September 30, 2019.

Sec. 1802. (1) From the funds appropriated in part 1 for hospital services and therapy, $7,995,200.00 in general fund/general purpose revenue shall be provided as lump-sum payments to noncritical access hospitals that qualified for rural hospital access payments in fiscal year 2013-2014 and that provide obstetrical care in the current fiscal year. Payment amounts shall be based on the volume of obstetrical care cases and newborn care cases for all such cases billed by each qualified hospital in the most recent year for which data is available. Payments shall be made by January 1 of the current fiscal year.

(2) From the funds appropriated in part 1 for hospital services and therapy and Healthy Michigan plan, $13,904,800.00 in general fund/general purpose revenue and any associated federal match shall be awarded as rural access payments to noncritical access hospitals that meet criteria established by the department for services to low-income rural residents. One of the reimbursement components of the distribution formula shall be assistance with labor and delivery services. The department shall ensure that the rural access payments described in this subsection shall be distributed in a manner that ensures both of the following:

(a) No hospital shall receive more than 10.0% of the total rural access funding referenced in this subsection.

(b) To allow hospitals to understand their rural payment amounts under this subsection, the department shall provide hospitals with the methodology for distribution under this subsection and provide each hospital with its applicable data that are used to determine the payment amounts by August 1 of the current fiscal year. The department shall publish the distribution of payments for the current fiscal year and the immediately preceding fiscal year.

Sec. 1803. The department shall maintain rules to allow for billing to and reimbursement by the Medicaid program directly for transportation charges related to portable x-ray services rendered to patients residing in a nursing facility or an assisted living facility, or who are otherwise homebound. By October 1 of the current fiscal year, the department shall set payment rates for Medicaid transportation charges related to portable x-ray services.

Sec. 1804. (1) The department shall utilize the federal public assistance reporting information system to identify Medicaid recipients who are veterans and who may be eligible for federal veterans' health care benefits or other benefits. The department shall identify the specific outcomes and performance reporting requirements described in this section. The department shall acquire all of the following information by January 1 of the current fiscal year and report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices on the following:

(a) The number of veterans identified by the department through eligibility determinations.

(b) The number of veterans referred to the department of military and veterans affairs.

(c) The number of referrals made by the department that were contacted by the department of military and veterans affairs.

(d) The number of referrals made by the department that were eligible for veterans health care benefits or other benefits.

(e) The specific actions and efforts undertaken by the department and the department of military and veterans affairs to identify female veterans who are applying for public assistance benefits, but who are eligible for veterans benefits.

(2) By October 1 of the current fiscal year, the department shall change the public assistance application form from asking whether the prospective applicant was a veteran to asking whether the applicant had ever served in the military.

(3) This section does not prohibit the department from entering into interagency agreements with any other public department or agency in this state in order to obtain the information detailed in subsection (1).

Sec. 1810. In advance of the annual rate setting development, Medicaid health plans shall be given at least 60 days to dispute and correct any discarded encounter data before rates are certified. The department shall notify each contracting Medicaid health plan of any encounter data that have not been accepted for the purposes of rate setting.

Sec. 1812. By June 1 of the current fiscal year, and using the most recent available cost reports, the department shall complete a report of all direct and indirect costs associated with residency training programs for each hospital that receives funds appropriated in part 1 for graduate medical education or through the MiDocs consortium. The report shall be submitted to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office.

Sec. 1820. (1) In order to avoid duplication of efforts, the department shall utilize applicable national accreditation review criteria to determine compliance with corresponding state requirements for Medicaid health plans that have been reviewed and accredited by a national accrediting entity for health care services.

(2) The department shall continue to comply with state and federal law and shall not initiate an action that negatively impacts beneficiary safety.

(3) As used in this section, "national accrediting entity" means the National Committee for Quality Assurance, the URAC, formerly known as the Utilization Review Accreditation Commission, or other appropriate entity, as approved by the department.

Sec. 1837. The department shall continue, and expand where appropriate, utilization of telemedicine and telepsychiatry as strategies to increase access to services for Medicaid recipients.

Sec. 1846. From the funds appropriated in part 1 for graduate medical education, the department shall distribute the funds with an emphasis on the following health care workforce goals:

(a) The encouragement of the training of physicians in specialties, including primary care, that are necessary to meet the future needs of residents of this state.

(b) The training of physicians in settings that include ambulatory sites and rural locations.

Sec. 1850. The department may allow Medicaid health plans to assist with maintaining eligibility through outreach activities to ensure continuation of Medicaid eligibility and enrollment in managed care. This may include mailings, telephone contact, or face-to-face contact with beneficiaries enrolled in the individual Medicaid health plan. Health plans may offer assistance in completing paperwork for beneficiaries enrolled in their plan.

Sec. 1851. From the funds appropriated in part 1 for adult home help services, the department shall allocate $150,000.00 state general fund/general purpose revenue plus any associated federal match to develop and deploy a mobile electronic visit verification solution to create administrative efficiencies, reduce error, and minimize fraud. The development of the solution shall be predicated on input from the results of the 2017 stakeholder survey.

Sec. 1855. From the funds appropriated in part 1 for program of all-inclusive care for the elderly (PACE), to the extent that funding is available in the PACE line item and unused program slots are available, the department may do the following:

(a) Increase the number of slots for an already-established local PACE program if the local PACE program has provided appropriate documentation to the department indicating its ability to expand capacity to provide services to additional PACE clients.

(b) Suspend the 10 member per month individual PACE program enrollment increase cap in order to allow unused and unobligated slots to be allocated to address unmet demand for PACE services.

Sec. 1856. (1) From the funds appropriated in part 1 for hospice services, $3,318,000.00 shall be expended to provide room and board for Medicaid recipients who meet hospice eligibility requirements and receive services at Medicaid enrolled hospice residences in this state. The department shall distribute funds through grants based on the total beds located in all eligible residences that have been providing these services as of October 1, 2017. Any eligible grant applicant may inform the department of their request to reduce the grant amount allocated for their residence and the funds shall be distributed proportionally to increase the total grant amount of the remaining grant-eligible residences. Grant amounts shall be paid out monthly with 1/12 of the total grant amount distributed each month to the grantees.

(2) By September 15 of the current fiscal year, each Medicaid-enrolled hospice with a residence that receives funds under this section shall provide a report to the department on the utilization of the grant funding provided in subsection (1). The report shall be provided in a format prescribed by the department and shall include the following:

(a) The number of patients served.

(b) The number of days served.

(c) The daily room and board rates for the patients served.

(d) If there is not sufficient funding to cover the total room and board need, the number of patients who did not receive care due to insufficient grant funding.

(3) If there is funding remaining at the end of the current fiscal year, the Medicaid-enrolled hospice with a residence shall return funding to the state.

Sec. 1857. By July 1 of the current fiscal year, the department shall explore the implementation of a managed care long-term support service.

Sec. 1858. By April 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget and the senate and house fiscal agencies on all of the following elements related to the current Medicaid pharmacy carve-out of pharmaceutical products as provided for in section 109h of the social welfare act, 1939 PA 280, MCL 400.109h:

(a) The number of prescriptions paid by the department during the previous fiscal year.

(b) The total amount of expenditures for prescriptions paid by the department during the previous fiscal year.

(c) The number of and total expenditures for prescriptions paid for by the department for generic equivalents during the previous fiscal year.

Sec. 1859. The department shall partner with the Michigan Association of Health Plans (MAHP) and Medicaid health plans to develop and implement strategies for the use of information technology services for Medicaid research activities. The department shall make available state medical assistance program data, including Medicaid behavioral data, to MAHP and Medicaid health plans or any vendor considered qualified by the department for the purpose of research activities consistent with this state's goals of improving health; increasing the quality, reliability, availability, and continuity of care; and reducing the cost of care for the eligible population of Medicaid recipients.

Sec. 1860. By March 1 of the current fiscal year, the department shall provide a report to the senate and house appropriations subcommittees, the senate and house fiscal agencies, and the state budget office on uncollected co-pays and premiums in the Healthy Michigan plan. The report shall include information on the number of participants who have not paid their co-pays and premiums, the total amount of uncollected co-pays and premiums, and steps taken by the department and health plans to ensure greater collection of co-pays and premiums.

Sec. 1862. From the funds appropriated in part 1, the department shall maintain payment rates for Medicaid obstetrical services at 95% of Medicare levels effective October 1, 2014.

Sec. 1867. (1) The department shall continue a workgroup that includes psychiatrists, other relevant prescribers, and pharmacists to identify best practices and to develop a protocol for psychotropic medications. Any changes proposed by the workgroup shall protect a Medicaid beneficiary's current psychotropic pharmaceutical treatment regimen by not requiring a physician currently prescribing any treatment to alter or adjust that treatment.

(2) By March 1 of the current fiscal year, the department shall provide the workgroup's recommendations to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office.

Sec. 1870. (1) From the funds appropriated in part 1 for hospital services and therapy, the department shall appropriate $5,100,000.00 in general fund/general purpose revenue plus any contributions from public entities, up to $5,000,000.00, and any associated federal match to the MiDocs consortium to create new primary care residency slots in underserved communities. The new primary care residency slots must be in 1 of the following specialties: family medicine, general internal medicine, general pediatrics, general OB-GYN, psychiatry, or general surgery.

(2) The department shall seek any necessary approvals from CMS to allow the department to implement the program described in this section.

(3) Assistance with repayment of medical education loans, loan interest payments, or scholarships provided by MiDocs shall be contingent upon a minimum 2-year commitment to practice in an underserved community in this state post-residency and an agreement to forego any sub-specialty training for at least 2 years post-residency with the exception of a child and adolescent psychiatry fellowship which must be integrated with a psychiatry residency training program in a MiDocs affiliated institution.

(4) The MiDocs shall work with the department to integrate the Michigan inpatient psychiatric admissions discussion (MIPAD) recommendations and, when possible, prioritize training opportunities in state psychiatric hospitals and community mental health organizations.

(5) The MiDocs consortium may allocate local funding, and any associated federal match, to a community-based Accreditation Council for Graduate Medical Education (ACGME), which operates from the local funds appropriated in this subsection, to administer a community-based residency training program. The funds appropriated in this subsection may be allocated and administered on a local level to communities with high disparities related to COVID-19 and high infant mortality rates for community and public health-based training programs for providers in family medicine. The community-based residency training program shall have a particular emphasis on addressing local psychiatric issues, local health disparities, and local maternal child health issues. The department and the MiDocs consortium may secure federal match on local funds allocated in this subsection to serve Medicaid and uninsured individuals through this community-based residency training program.

(6) In developing the number of primary care residency slots for the fiscal year ending September 30, 2022, it is the intent of the legislature that 5 additional primary care residency slots be added with the goal of those slots being awarded to minority applicants or applicants from underserved communities.

(7) The department shall create a MiDocs initiative advisory council to help support implementation of the program described in this section, and provide oversight. The advisory council shall be composed of the MiDocs consortium, the Michigan Area Health Education Centers, the Michigan Primary Care Association, the Michigan Center for Rural Health, the Michigan Academy of Family Physicians, and any other appointees designated by the department.

(8) By September 1 of the current fiscal year, MiDocs shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office, on the following:

(a) Audited financial statement of per-resident costs.

(b) Education and clinical quality data.

(c) Roster of trainees, including areas of specialty and locations of training.

(d) Medicaid revenue by training site.

(9) Outcomes and performance measures for this program include, but are not limited to, the following:

(a) Increasing this state's ability to recruit, train, and retain primary care physicians and other select specialty physicians in underserved communities.

(b) Maximizing training opportunities with community health centers, rural critical access hospitals, solo or group private practice physician practices, schools, and other community-based clinics, in addition to required rotations at inpatient hospitals.

(c) Increasing the number of residency slots for family medicine, general internal medicine, general pediatrics, general OB-GYN, psychiatry, and general surgery.

(10) Unexpended and unencumbered funds up to a maximum $5,100,000.00 in general fund/general purpose revenue plus any contributions from public entities, up to $5,000,000.00, and any associated federal match remaining in accounts appropriated in part 1 for hospital services and therapy are designated as work project appropriations, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for the MiDocs consortium to create new primary care residency slots in underserved communities under this section until the work project has been completed. All of the following are in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the work project is to fund the cost of the MiDocs consortium to create new primary care residency slots in underserved communities.

(b) The work project will be accomplished by contracting with the MiDocs consortium to oversee the creation of new primary care residency slots.

(c) The total estimated completion cost of the work project is $20,200,000.00.

(d) The tentative completion date is September 30, 2025.

Sec. 1871. The funds appropriated in part 1 for the Healthy Michigan plan healthy behaviors incentives program shall only provide reductions in cost-sharing responsibilities and shall not include other financial rewards such as gift cards.

Sec. 1872. From the funds appropriated in part 1 for personal care services, the department shall maintain the monthly Medicaid personal care supplement paid to adult foster care facilities and homes for the aged that provide personal care services to Medicaid recipients in place during the previous fiscal year.

Sec. 1873. From the funds appropriated in part 1 for long-term care services, the department may allocate up to $3,700,000.00 for the purpose of outreach and education to nursing home residents and the coordination of housing in order to move out of the facility. In addition, any funds appropriated shall be used for other quality improvement activities of the program. The department shall consider working with all relevant stakeholders to develop a plan for the ongoing sustainability of the nursing facility transition initiative.

Sec. 1874. The department shall ensure, in counties where program of all-inclusive care for the elderly or PACE services are available, that the program of all-inclusive care for the elderly (PACE) is included as an option in all options counseling and enrollment brokering for aging services and managed care programs, including, but not limited to, Area Agencies on Aging, centers for independent living, and the MiChoice home and community-based waiver. Such options counseling must include approved marketing and discussion materials.

Sec. 1875. (1) The department and its contractual agents may not subject Medicaid prescriptions to prior authorization procedures during the current fiscal year if that drug is carved out or is not subject to prior authorization procedures as of January 22, 2020, and is generally recognized in a standard medical reference or the American Psychiatric Association's Diagnostic and Statistical Manual for the Treatment of a Psychiatric Disorder.

(2) The department and its contractual agents may not subject Medicaid prescriptions to prior authorization procedures during the current fiscal year if that drug is carved out or is not subject to prior authorization procedures as of January 22, 2020 and is a prescription drug that is generally recognized in a standard medical reference for the treatment of human immunodeficiency virus or acquired immunodeficiency syndrome, epilepsy or seizure disorder, or organ replacement therapy. The department shall explore including medications for the treatment of Duchenne Muscular Dystrophy to the list of Medicaid prescriptions not subject to prior authorization.

(3) As used in this section, "prior authorization" means a process implemented by the department or its contractual agents that conditions, delays, or denies delivery or particular pharmacy services to Medicaid beneficiaries upon application of predetermined criteria by the department or its contractual agents to those pharmacy services. The process of prior authorization often requires that a prescriber do 1 or both of the following:

(a) Obtain preapproval from the department or its contractual agents before prescribing a given drug.

(b) Verify to the department or its contractual agents that the use of a drug prescribed for an individual meets predetermined criteria from the department or its contractual agents for a prescription drug that is otherwise available under the Medicaid program in this state.

Sec. 1876. The department shall include the corticosteroid deflazacort on the Medicaid health plan common formulary.

Sec. 1878. By March 1 of the current fiscal year, the department shall provide a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on hepatitis C tracking data. At a minimum, the report shall include information on the following for individuals treated with Harvoni or any other treatment used to cure hepatitis C during the current fiscal year or a previous fiscal year:

(a) The total number of people treated broken down by those treated through traditional Medicaid and those treated through the Healthy Michigan plan.

(b) The total cost of treatment.

(c) The total cost of treatment broken down by those treated through traditional Medicaid and those treated through the Healthy Michigan plan.

(d) The cure rate broken down by Metavir Score, genotype, Medicaid match rate, and drug used during treatment.

(e) The reinfection rate broken down by Metavir Score, genotype, Medicaid match rate, and drug used during treatment.

Sec. 1879. (1) The department shall maintain a single, standard preferred drug list to be used by all contracted Medicaid managed health care programs. Changes to the preferred drug list shall be made in consultation with all contracted managed health care programs and the Michigan pharmacy and therapeutics committee to ensure sufficient access to medically necessary drugs for each disease state. The department shall have final authority over the list and it shall be designed to ensure access to clinically effective and appropriate drug therapies and maximize federal rebates and supplemental rebates.

(2) By July 15 of the current fiscal year, the department shall submit a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office that compares the managed care pharmacy expenditures prior to the implementation of a single, standard preferred drug list to managed care pharmacy expenditures after the implementation of a single, standard preferred drug list. The report shall include data on collected rebates and expenditures by quarter for at least 8 quarters prior to implementing a single, standard preferred drug list, and the experienced rebates and expenditures for at least 2 quarters, and the projected rebates and expenditures for at least 6 quarters after the implementation of a single, standard preferred drug list. The data shall be aggregated by the department so as not to disclose the proprietary or confidential drug-specific information, or the proprietary or confidential information that directly or indirectly identifies financial information linked to a single manufacturer. The report shall include any administrative costs or savings associated with the continued implementation of a single, standard Medicaid preferred drug list and must include information on a per Medicaid prescription basis.

Sec. 1880. (1) By June 1 of the current fiscal year, the department shall provide a report to the senate and house committees on appropriations, the senate and house fiscal agencies, and the state budget office on the newly implemented statewide Medicaid preferred drug list policy. This report must include, but is not limited to, all of the following:

(a) The difference between estimated pharmacy expenditures and actual pharmacy expenditures incurred by the Medicaid health plans through the first 2 quarters of the fiscal year.

(b) The difference between estimated federal and supplemental rebates and actual amount of federal and supplemental rebates realized from the Medicaid health plan pharmacy utilization through the first 2 quarters of the fiscal year.

(c) The difference between the estimated ingredient cost increase and the actual ingredient cost increase incurred by the Medicaid health plans through the first 2 quarters of the fiscal year.

(d) The difference between the estimated annual change in pharmacy utilization and the actual annual change in pharmacy utilization incurred by the Medicaid health plans through the first 2 quarters of the fiscal year.

(2) By June 1 of the current fiscal year, the department shall provide adjustments to capitation rates paid to Medicaid health plans to reflect the difference between the rates implemented for fiscal year 2020-2021 and the per enrollee health benefit expenses incurred by contracted health plans to the senate and house committees on appropriations, the senate and house fiscal agencies, and the state budget office. Any adjustments made to the capitation rates under this section shall be made outside of the updated estimates of Medicaid expenditures revised pursuant to section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b, in May of the current fiscal year for the impacted period.

Sec. 1881. (1) The funds appropriated in part 1 for health plan services and healthy Michigan plan assume $36,000,000.00 in estimated general fund/general purpose revenue savings and $141,360,000.00 in gross savings from the financial reconciliation of the 2-way risk corridor implemented in the managed care capitation rates for the previous fiscal year. By September 1 of the current fiscal year, the department shall provide a report to the senate and house committees on appropriations, the senate and house fiscal agencies, and the state budget office on the actual amount of general fund/general purpose savings from the financial reconciliation of the 2-way risk corridor implemented in the managed care capitation rates for the previous fiscal year. Any adjustments made to the capitation rates under this section shall be made outside of the updated estimates of Medicaid expenditures revised pursuant to MCL 18.1367b in May of the current fiscal year.

(2) It is the intent of the legislature that the managed care capitation rates for the fiscal year ending September 30, 2022 do not include a 2-way risk corridor.

Sec. 1888. The department shall establish contract performance standards associated with the capitation withhold provisions for Medicaid health plans at least 3 months in advance of the implementation of those standards. The determination of whether performance standards have been met shall be based primarily on recognized concepts such as 1-year continuous enrollment and the healthcare effectiveness data and information set, HEDIS, audited data.

Sec. 1894. By March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the Healthy Kids Dental program. The report shall include, but is not limited to, the following:

(a) The number of children enrolled in the Healthy Kids Dental program who visited the dentist during the previous fiscal year broken down by dental benefit manager.

(b) The number of dentists who accept payment from the Healthy Kids Dental program broken down by dental benefit manager.

(c) The annual change in dental utilization of children enrolled in the Healthy Kids Dental program broken down by dental benefit manager.

(d) Service expenditures for the Healthy Kids Dental program broken down by dental benefit manager.

(e) Administrative expenditures for the Healthy Kids Dental program broken down by dental benefit manager.

INFORMATION TECHNOLOGY

Sec. 1901. (1) The department shall provide a report on a quarterly basis to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on all of the following information:

(a) The process used to define requests for proposals for each expansion of information technology projects, including timelines, project milestones, and intended outcomes.

(b) If the department decides not to contract the services out to design and implement each element of the information technology expansion, the department shall submit its own project plan that includes, at a minimum, the requirements in subdivision (a).

(c) A recommended project management plan with milestones and time frames.

(d) The proposed benefits from implementing the information technology expansion, including customer service improvement, form reductions, potential time savings, caseload reduction, and return on investment.

(e) Details on the implementation of the integrated service delivery project, and the progress toward meeting the outcomes and performance measures listed in section 1904(2) of this part.

(f) A list of projects approved in the previous quarter and the purpose for approving each project including any federal, state, court, or legislative requirement for each project.

(2) Once an award for an expansion of information technology is made, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a projected cost of the expansion broken down by use and type of expense.

Sec. 1902. From the funds appropriated in part 1 for the Michigan Medicaid information system (MMIS) line item, private revenue may be received from and allocated for other states interested in participating as part of the broader MMIS initiative. By March 1 of the current fiscal year, the department shall provide a report on the use of MMIS by other states for the previous fiscal year, including a list of states, type of use, and revenue and expenditures related to the agreements with the other states to use the MMIS. The report shall be provided to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget office.

Sec. 1903. (1) The department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office by November 1 of the current fiscal year the status of an implementation plan regarding the appropriation in part 1 to modernize the MiSACWIS. The report shall include, but not be limited to, an update on the status of the settlement and efforts to bring the system in compliance with the settlement and other federal guidelines set forth by the United States Department of Health and Human Services Administration for Children and Families.

(2) The department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office by November 1, January 1, March 1, May 1, July 1, and September 1 of the current fiscal year a status report on the planning, implementation, and operation, regardless of the current operational status, regarding the appropriation in part 1 to implement the MiSACWIS. The report shall provide details on the planning, implementation, and operation of the system, including, but not limited to, all of the following:

(a) Areas where implementation went as planned, and in each area including whether the implementation results in either enhanced user interface or portal access, conversion to new modules, or substantial operation improvement to the MiSACWIS system.

(b) The number of known issues.

(c) The average number of help tickets submitted per day.

(d) Any additional overtime or other staffing costs to address known issues and volume of help tickets.

(e) Any contract revisions to address known issues and volume of help tickets.

(f) Other strategies undertaken to improve implementation, and for each strategy area including whether the implementation results in either enhanced user interface or portal access, conversion to new modules, or substantial operation improvement to the MiSACWIS system.

(g) Progress developing cross-system trusted data exchange with MiSACWIS.

(h) Progress in moving away from a statewide automated child welfare information system (SACWIS) to a comprehensive child welfare information system (CCWIS).

(i) Progress developing and implementing a program to monitor data quality.

(j) Progress developing and implementing custom integrated systems for private agencies.

(k) A list of all change orders, planned or in progress.

(*l*) The status of all change orders, planned or in progress.

(m) The estimated costs for all planned change orders.

(n) The estimated and actual costs for all change orders in progress.

Sec. 1904. (1) From the funds appropriated in part 1 for the technology supporting integrated service delivery line item, the department shall maintain information technology tools and enhance existing systems to improve the eligibility and enrollment process for citizens accessing department administered programs. This information technology system will consolidate beneficiary information, support department caseworker efforts in building a success plan for beneficiaries, and better support department staff in supporting enrollees in assistance programs.

(2) Outcomes and performance measures for the initiative under subsection (1) include, but are not limited to, the following:

(a) Successful consolidation of data warehouses maintained by the department.

(b) The amount of time a department caseworker devotes to data entry when initiating an enrollee application.

(c) A reduction in wait times for persons enrolled in assistance programs to speak with department staff and get necessary changes made.

(d) A reduction in department caseworker workload.

Sec. 1905. (1) The department shall report on a monthly basis to the chairs of the senate and house standing committees on appropriations, the senate and house appropriations subcommittees on the department budget, the senate and house appropriations subcommittees on the general government budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on all of the following:

(a) Fiscal year-to-date information technology spending for the current fiscal year by service and project and by line-item appropriation.

(b) Planned information technology spending for the remainder of the current fiscal year by service and project and by line-item appropriation.

(c) Total fiscal year-to-date information technology spending and planned spending for the current fiscal year by service and project and by line-item appropriation.

(d) A list of all information technology projects estimated to cost more than $250,000.00 that exceed their allotted budget as well as all information technology projects that have exceeded their allotted budget by 25% or more.

(2) As used in subsection (1), "project" means all of, but not limited to, the following major projects:

(a) Community health automated Medicaid processing system (CHAMPS).

(b) Bridges and MiBridges eligibility determination.

(c) MiSACWIS.

(d) Integrated service delivery.

(3) By April 30 of the current fiscal year, the department, in coordination with the department of technology, management, and budget, shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office a 5-year strategic plan for information technology services and projects for the department. The strategic plan shall identify any scheduled changes in the federal and state shares of costs related to information technology services and projects over the 5-year period. As part of the strategic plan, the department shall include total information technology expenditures from the previous fiscal year by fund source, total information technology appropriations as a percentage of total department appropriations by fund source, and a return on investment, by project, for all information technology expenditures in the previous fiscal year. The strategic plan shall also include, for the previous 5 fiscal years, the department's information technology spending compared to similar departments in 3 other states located in the Midwest.

Sec. 1906. (1) The workgroup, in collaboration with the Michigan Federation of Children and Families and the Association of Accredited Child and Family Agencies, shall issue a report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office no later than November 1, January 1, March 1, May 1, July 1, and September 1 of the current fiscal year that must consist of, but is not limited to, the following:

(a) Recommendations for the future funding and operations of MiSACWIS and the replacement state child welfare information system.

(b) Recommendations for any remedial actions that the workgroup considers necessary for the department to implement in order to improve the functions of MiSACWIS and the subsequent state child welfare information system, and measures established to determine the success of MiSACWIS and the replacement state child welfare information system.

(c) Any other information the workgroup would like to provide regarding MiSACWIS and the replacement state child welfare information system.

(2) As used in this section, "workgroup" means the workgroup established by the department to facilitate the transition from the use of MiSACWIS to a replacement state child welfare information system, according to the independent assessment of Michigan's statewide automated child welfare information system and child welfare data reporting infrastructure submitted to the United States District Court for the Eastern District of Michigan on February 25, 2019.

Sec. 1907. By October 1 and March 1 of the current fiscal year, the department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on all current, contracted information technology-related projects, total contractual costs, spending in previous fiscal years, planned spending for the current fiscal year, and fiscal year-to-date spending, by project.

Sec. 1909. (1) From the funds appropriated in part 1 for child support automation, the department shall only encumber or expend funds for the operation, maintenance, and improvements of the Michigan child support enforcement system (MiCSES).

(2) From the funds appropriated in part 1 for bridges information system, the department shall only encumber or expend funds for the operation, maintenance, and improvements of Bridges and MIBridges.

(3) From the funds appropriated in part 1 for technology supporting integrated service delivery, the department shall only encumber or expend funds for the operation, maintenance, and improvements of integrated service delivery.

(4) From the funds appropriated in part 1 for Michigan Medicaid information system, the department shall only encumber or expend funds for the operation, maintenance, and improvements of the community health automated Medicaid processing system (CHAMPS).

(5) From the funds appropriated in part 1 for Michigan statewide automated child welfare information system, the department shall only encumber or expend funds for the operation, maintenance, and improvements of MiSACWIS.

(6) From the funds appropriated in part 1 for comprehensive child welfare information system, the department shall only encumber or expend funds for the operation, maintenance, and improvements to the comprehensive child welfare information system.

(7) From the funds appropriated in part 1 for comprehensive child welfare information system, the department shall allocate $4,389,400.00 to develop a new information system to replace MiSACWIS consistent with the plan provided by the department to the United States District Court for Eastern District of Michigan as a part of the settlement. The development of the comprehensive child welfare information system shall adhere to department of technology, management, and budget and IT Investment Fund (ITIF) policies and practices, including use of the state unified information technology environment methodology and agile development. The project team will also participate in and comply with the enterprise portfolio management office process and product quality assurance. To ensure full transparency, the project will be included in the ITIF portfolio for executive, legislative, and external reporting purposes. As a component of the ITIF portfolio, the project will be subject to governance and oversight by the IT investment management board.

ONE-TIME APPROPRIATIONS

Sec. 1910. From the funds appropriated in part 1 for Special Olympics capital improvement project, the department shall allocate $1,000,000.00 to a nonprofit organization organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, and with a stated mission to provide year-round sports training and athletic competition for children and adults with intellectual disabilities. The funding shall be used to perform capital improvements on a facility located in a county with a population between 500,000 and 825,000 according to the most recent federal decennial census and ensure the facility complies with the Americans with disabilities act of 1990, Public Law 101-336.

Sec. 1911. From the funds appropriated in part 1 for first responder and public safety staff mental health, the department shall allocate $2,500,000.00 towards a program to support firefighters, police officers, emergency medical services personnel, dispatchers, and correctional officers suffering from post-traumatic stress syndrome and other mental health conditions. The program will primarily provide grants to behavioral health providers and may also include funding to improve information and referrals for these services.

Sec. 1913. From the funds appropriated in part 1 for lead poisoning prevention fund, the department shall allocate $2,000,000.00 towards the establishment of a lead poisoning prevention fund. The lead poisoning prevention fund would be administered by an independent third party as a public private loan loss reserve fund that would support loans to landlords and homeowners remediating lead hazards from their property.

Sec. 1914. From the funds appropriated in part 1 for county coronavirus related youth funding, $250,000.00 is allocated to a county with a population between 344,000 and 347,000 according to the most recent federal decennial census. The grant shall be allocated by the county to a network of human service providers and local youth development organizations to do all of the following:

(a) Provide daily academic and skills-building programs for youths.

(b) Offer tutoring to low-income families.

(c) Create mentoring programs to connect youth with youth or adult mentors in the community.

(d) Establish a connection with families in low-income neighborhoods.

Sec. 1915. From the funds appropriated in part 1 for healthy communities grant, $300,000.00 shall be allocated for a 1-time grant to Leaders Advancing and Helping Communities for community healthy living, obesity prevention, and substance abuse prevention programs.

Sec. 1916. From the funds appropriated in part 1 for kids' food basket, the department shall allocate $250,000.00 to fund a project with a nonprofit, community-based organization organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, and is located in a city with a population between 185,000 and 195,000 according to the most recent federal decennial census which city is located in a county with a population between 600,000 and 605,000 according to the most recent federal decennial census. The nonprofit organization recipient shall have an existing network of food delivery to low-income children to at least 3 counties in this state. The nonprofit organization shall use the funds for increased operational costs due to the coronavirus pandemic and for expansion of services to additional schools and communities. The funding may be used to cover employee costs, food and supplies, equipment, and other operational costs identified by the organization to support their mission and goals.

Sec. 1917. From the funds appropriated in part 1 for infant rapid whole genome sequencing project, the department shall allocate $250,000.00 in general fund/general purpose revenue plus any associated private or federal match to support the Project Baby Deer rapid whole genome sequencing initiative. This program shall provide rapid whole genome sequencing for critically ill infants and children who meet established clinical criteria. It is the intent of the legislature that the projected turnaround time for sequencing shall be 1 to 3 days in order to limit the number of unnecessary procedures and allow for more rapid diagnosis of critically ill infants and children.

Sec. 1918. From the funds appropriated in part 1 for substance abuse community and school outreach, the department shall allocate $100,000.00 to a coalition located in a county with a population of at least 1,500,000 with an aim to lead and support communities to dispel the myths and stigmas about drug addiction through public education, sharing stories of recovery, partnering with local and state leaders, creating positive social changes, and providing recovery support services for those in need.

Sec. 1919. (1) From the funds appropriated in part 1 for unified clinics resiliency center for families and children, the department shall allocate $1,500,000.00 to a 4-year state university located in a county with a population between 250,000 and 251,000 according to the most recent decennial census to be used to develop and operate a resiliency center for families and children to address the multifaceted needs of those experiencing trauma, toxic stress, chronic disability, neurodevelopmental disorders, or addictions.

(2) Outcomes and performance measures for the resiliency center funded under this section shall include, but not be limited to, the following:

(a) The number of children and families who received services from the center.

(b) The types of screening offered by the center and the number of clients that received each screening type.

(c) The number of trauma assessments completed through the center's programs and the average cost of a trauma assessment for each type of client, including children, adults, and families.

(d) The types of services offered by the center and the number of clients that received each service type.

(e) The number of referrals for services made to children and families.

(f) A breakdown of the expenditures made for the development of the resiliency center for families and children by major category.

(3) By August 1 of the current fiscal year, the resiliency center for families and children shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on the status of the development of the resiliency center funded under this section and on the information required in subsection (2).

(4) The unexpended portion of funds appropriated in part 1 for unified clinics resiliency center for families and children is designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure for the project under this section until the project has been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the work project is to provide funding for the operation and maintenance of a unified clinics resiliency center for families and children as provided by this section.

(b) The project will be accomplished through funding to a 4-year state university for the operation and maintenance of the center.

(c) The total estimated cost of the work project is $1,500,000.00 of general fund/general purpose revenue.

(d) The estimated completion date is September 30, 2023.

(5) It is the intent of the legislature that this is the first year out of 3 years that funding is to be provided by the legislature for the unified clinics resiliency center for families and children described in this section, and that in each of the 2 following years, $750,000.00 be provided by the legislature.

Sec. 1920. (1) From the funds appropriated in part 1 for autism navigator, the department shall require any contractor receiving funds from this line item to comply with performance-related metrics to maintain eligibility for funding. The organizational metrics shall include, but not be limited to, all of the following:

(a) Each contractor shall have accreditations that attest to their competency and effectiveness in providing services.

(b) Each contractor shall demonstrate cost-effectiveness.

(c) Each contractor shall ensure their ability to leverage private dollars to strengthen and maximize service provision.

(d) Each contractor shall provide quarterly reports to the department regarding the number of clients served, units of service provision, and ability to meet their stated goals.

(2) The department shall require an annual report from any contractor receiving funding from the autism navigator line item. The annual report, due to the department 60 days following the end of the contract period, shall include specific information on services and programs provided, the client base to which the services

and programs were provided, and the expenditures for those services. The department shall provide the annual reports to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the state budget office.

Sec. 1921. From the funds appropriated in part 1 for statewide health information exchange projects, the department shall allocate $2,750,000.00 to a public and private non-profit collaboration that is designated as this state's statewide health information exchange by cooperative agreement to implement health information technology strategies for data management, data clean-up, and data governance.

Sec. 1922. (1) From the funds appropriated in part 1 for actuarial study, $275,000.00 is allocated for the department to complete a study led by an actuarial firm capable of supporting this state's pursuit of a state innovation waiver under section 1332 of the patient protection and affordable care act for community-based coverage entities to provide health coverage and educational and occupational training to qualifying individuals. The study will be completed with the assistance and support of department of insurance and financial services to ensure that the study meets all the criteria for a section 1332 state innovation waiver found at 45 CFR part 155. The study must be completed by April 30 of the current fiscal year. The study must include analyses and actuarial certifications data, assumptions, targets, and other information sufficient to provide the Secretary of the United States Department of Health and Human Services and the Secretary of the United States Department of Treasury with the necessary data to determine whether this state's proposed waiver would do all of the following:

(a) Provide coverage that is at least as comprehensive as the coverage defined in section 1203(b) of the patient protection and affordable care act.

(b) Provide coverage and cost sharing protections against excessive out-of-pocket spending that are at least as affordable as the provisions of title I of the patient protection and affordable care act.

(c) Provide coverage to a comparable number of its residents as the provisions of title I of the patient protection and affordable care act would provide.

(d) Not increase the federal deficit.

(2) The study under subsection (1) must create any actuarial analyses and certifications necessary to determine whether the estimates will comply with the above requirements. Furthermore, the study must produce an economic analysis that provides a detailed 10-year budget plan that is deficit neutral to the federal government and a detailed analysis regarding the estimated impact of the waiver on health insurance coverage in this state.

(3) As used in this section, "patient protection and affordable care act" means the patient protection and affordable care act, Public Law 111-148, as amended by the federal health care and education reconciliation act of 2010, Public Law 111-152.

Sec. 1923. From the funds appropriated in part 1 for senior citizen center program grants, the department shall allocate $150,000.00 for a grant program administered by the aging and adult services agency to support health-related senior programs at multipurpose senior citizen centers. Program goals shall include mental and physical health maintenance and improvement for senior participants. Grant awards shall not exceed $5,000.00 for a program. Grantees are encouraged to match the funding with participant fees or other nonstate source of funds. A private housing facility with senior activity programs is not eligible for the grant program.

Sec. 1924. From the funds appropriated in part 1 for children's center, $200,000.00 shall be awarded to a children's center located in a city with a population of greater than 600,000 according to the most recent federal decennial census. The grant shall be allocated to a nonprofit organization established in 1929 that has a stated mission of helping children and families shape their own futures. The funding shall be used for behavioral health programs and outreach, including an outpatient treatment program for families with children with autism spectrum disorders.

Sec. 1925. From the funds appropriated in part 1 for nonprofit mental health clinics, the department shall allocate $200,000.00 as grants to nonprofit mental health clinics that provide counseling services, accept clients regardless of their ability to pay for services through sliding scale copayments and volunteer services, and that use fundraising to support their clinic. The maximum grant per clinic is $100,000.00 and as a condition of receiving these grants, the clinic must have at least a like amount of funds collected through fundraising as the state grant award. By December 15 of the current fiscal year, the department shall submit a report on the number of grant applications and the status of the grant awards to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office.

Sec. 1926. From the funds appropriated in part 1 for Great Lakes recovery center, the department shall allocate a grant of $250,000.00 to a CARF accredited agency that specializes in substance abuse and mental health treatment through certified counselors and licensed professionals across the Upper Peninsula for costs related to men's residential treatment and transition housing and women's transition housing.

Sec. 1927. From the funds appropriated in part 1 for vision clinic, the department shall allocate $100,000.00 for a nonprofit vision clinic located in a county with a population between 200,000 and 225,000 according to the most recent federal decennial census. To be eligible to receive funding, the vision clinic must have a stated mission to provide optometric services to Michigan's mentally and physically challenged population, as well as, low vision services to visually impaired and legally blind individuals.

Sec. 1928. (1) From the funds appropriated in part 1 for skilled nursing facility personal protection equipment grants, the department shall allocate $20,000,000.00 to skilled nursing facilities to help cover personal protection equipment costs during the COVID-19 pandemic.

(2) The funding referenced in subsection (1) shall be allocated on a per licensed skilled nursing facility bed basis, with each skilled nursing facility receiving a fixed amount per licensed skilled nursing facility bed equal to $20,000,000.00 divided by the total number of licensed skilled nursing facility beds in the state.

(3) The department shall allocate the funding referenced in (1) to skilled nursing facilities by October 31 of the current fiscal year.

Sec. 1930. (1) From the funds appropriated in part 1 for autism train the trainer grant, the department shall appropriate $244,800.00 to implement a pilot project to train school employees on the principles and practices of applied behavior analysis and research-based intervention strategies. The pilot project must do both of the following:

(a) Train paraprofessionals and teachers in applied behavior analysis skills that match the national standard for behavior technician-level work and research-based intervention strategies.

(b) Train teacher consultants, school social workers, school psychologists, and other school personnel responsible for conducting functional behavioral assessments and the development of behavior support plans methods for ensuring implementation of a behavior plan with fidelity and strategies for sharing understanding of evidence-based behavioral health approaches with other school-based personnel.

(2) The pilot project sites receiving funding under subsection (1) must be 1 of the following:

(a) A school district with a headquarters located in a census designated place with a population between 3,410 and 3,500 according to the most recent federal decennial census, and in a county with a population between 24,200 and 24,700 according to the most recent federal decennial census.

(b) A school district with a headquarters located in a township with a population between 53,400 and 71,000 according to the most recent federal decennial census, and in a county with a population between 1,000,000 and 1,800,000 according to the most recent federal decennial census.

(c) A school district with a headquarters located in a township with a population between 41,000 and 43,000 according to the most recent federal decennial census, and in a county with a population between 1,000,000 and 1,800,000 according to the most recent federal decennial census.

(d) An intermediate school district with a headquarters located in a census designated place with a population between 1,920 and 2,000 according to the most recent federal decennial census, and in a county with a population between 25,950 and 26,160 according to the most recent federal decennial census.

(e) A constituent district of an intermediate school district with a headquarters located in a city with a population between 6,000 and 6,230 according to the most recent federal decennial census, and in a county with a population between 24,500 and 25,500 according to the most recent federal decennial census.

(3) Outcomes and performance measures for the pilot project funded under this section shall include, but not be limited to, the following:

(a) A decrease in the number of center-program and self-contained-classroom referrals.

(b) A decrease in the number of suspensions, removals, and expulsions.

(c) A decrease in paraprofessional absences.

(d) An increase in teacher retention.

(e) An increase in safety.

(4) The department shall require an annual report from the districts described in subsection (2) on the information required in subsection (3). The department shall provide the reports to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the information required in subsection (2).

Sec. 1932. (1) From the funds appropriated in part 1 for legal assistance, $60,000.00 shall be distributed to a county legal assistance center located in a city with a population between 4,900 and 5,000 according to the most recent federal decennial census, within a county with a population between 111,400 and 111,500, according to the most recent decennial census. The grantee must provide civil law legal assistance to low-income individuals.

(2) The funds appropriated in part 1 for legal assistance shall be disbursed no later than March 1 of the current fiscal year.

ARTICLE 7
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES
PART 1
LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of insurance and financial services for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	372.5	
GROSS APPROPRIATION	**$**	**73,315,700**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		728,600
ADJUSTED GROSS APPROPRIATION	**$**	**72,587,100**
Federal revenues:		
Total federal revenues		1,017,100
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		71,570,000
State general fund/general purpose	**$**	**0**
Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	23.5	
Unclassified salaries—FTEs	6.0$	820,600
Administrative hearings		182,500
Department services—FTEs	20.0	3,892,400
Executive director programs—FTEs	3.5	986,900
Property management		1,284,900
Worker's compensation		800
GROSS APPROPRIATION	**$**	**7,168,100**
Appropriated from:		
Special revenue funds:		
Bank fees		534,500
Captive insurance regulatory and supervision fund		3,000
Consumer finance fees		211,400
Credit union fees		893,700
Deferred presentment service transaction fees		281,500
Insurance bureau fund		2,528,100
Insurance continuing education fees		66,600
Insurance licensing and regulation fees		1,962,400
MBLSLA fund		685,600
Multiple employer welfare arrangement		1,300
State general fund/general purpose	**$**	**0**
Sec. 103. INSURANCE AND FINANCIAL SERVICES REGULATION		
Full-time equated classified positions	349.0	
Consumer services and protection—FTEs	85.0$	11,546,800
Financial institutions evaluation—FTEs	135.0	25,458,500
Insurance evaluation—FTEs	129.0	26,826,400
GROSS APPROPRIATION	**$**	**63,831,700**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from LARA, debt management		728,600
Federal revenues:		
Federal revenues		1,017,100

		For Fiscal Year Ending Sept. 30, 2021
Special revenue funds:		
Bank fees		5,940,200
Captive insurance regulatory and supervision fund		703,300
Consumer finance fees		2,920,200
Credit union fees		9,181,700
Deferred presentment service transaction fees		2,454,400
Insurance bureau fund		24,829,800
Insurance continuing education fees		868,700
Insurance licensing and regulation fees		8,097,900
MBLSLA fund		6,601,400
Multiple employer welfare arrangement		488,400
State general fund/general purpose	**$**	**0**
Sec. 104. INFORMATION TECHNOLOGY		
Information technology services and projects	$	2,315,900
GROSS APPROPRIATION	**$**	**2,315,900**
Appropriated from:		
Special revenue funds:		
Bank fees		231,900
Consumer finance fees		95,600
Credit union fees		379,600
Deferred presentment service transaction fees		116,500
Insurance bureau fund		453,200
Insurance continuing education fees		23,400
Insurance licensing and regulation fees		748,400
MBLSLA fund		267,300
State general fund/general purpose	**$**	**0**

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $71,570,000.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $0.

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) “Department” means the department of insurance and financial services.

(b) “Director” means the director of the department.

(c) “FTE” means full-time equated.

(d) “IDG” means interdepartmental grant.

(e) “LARA” means the department of licensing and regulatory affairs.

(f) “MBLSLA fund” means the restricted account established under section 8 of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1658.

(g) “Subcommittees” means the subcommittees of the house of representatives and senate appropriations committees with jurisdiction over the budget for the department.

Sec. 204. The department and agencies receiving appropriations in this part and part 1 shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in this part and part 1 must not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference must be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference must be given

to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the legislature or a member's staff unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 207. (1) Out-of-state travel must be limited to situations where the travel is approved by a departmental employee's immediate supervisor and in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless a professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 individual from the department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

(3) Not later than January 1, the department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The department shall submit the report to the senate and house of representatives appropriations committees, the senate and house fiscal agencies, and the state budget director. The report must include all of the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 208. Funds appropriated in this part and part 1 must not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report must summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The state budget office shall transmit the report to the chairpersons of the senate and house of representatives appropriations committees and the senate and house fiscal agencies.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $200,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department or each agency:

(a) Fiscal-year-to-date expenditures by category.

(b) Fiscal-year-to-date expenditures by appropriation unit.

(c) Fiscal-year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the subcommittees, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2020 and September 30, 2021.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $10,298,600.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $4,941,400.00. Total agency appropriations for retiree health care legacy costs are estimated at $5,357,200.00.

Sec. 215. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each chamber, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The department and agencies receiving appropriations in this part and part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal or state guidelines.

Sec 220. Not later than April 1, the department shall report on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house of representatives appropriations committees, the subcommittees, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 221. Unless prohibited by law, the department may accept credit card or other electronic means of payment for licenses, fees, or permits.

Sec. 222. The department shall submit a report to the subcommittees, the senate and house fiscal agencies, and the state budget director by September 30 detailing any expenditure of funds for a television or radio production that was made to a third-party vendor in the fiscal year ending September 30, 2021. The report must include all of the following information for each expenditure:

(a) Total amount of the expenditure.

(b) Fund source for the expenditure.

(c) Name of any vendors that created the production and the amount paid to each vendor.

(d) Purpose of the production.

Sec. 223. From the funds appropriated in part 1 from the insurance bureau fund, funds may be expended to support legislative participation in insurance activities coordinated by insurance and legislative associations, in accordance with section 225 of the insurance code of 1956, 1956 PA 218, MCL 500.225.

INSURANCE AND FINANCIAL SERVICES REGULATION

Sec. 301. The department shall provide a report to the subcommittees, the senate and house fiscal agencies, and the state budget director by September 30 based on the annual rate filings from health insurance issuers that includes all of the following:

(a) The number that are approved by the department.

(b) The number that are denied by the department.

(c) The percentage of rate filings processed within the applicable statutory time frames.

(d) The average number of calendar days to process rate filings.

Sec. 302. In addition to the funds appropriated in part 1, the funds collected by the department in connection with a conservatorship under section 32 of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1682, and funds collected by the department from corporations being liquidated under the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, must be appropriated for all expenses necessary to provide for the required services. Funds are available for expenditure when they are received by the department of treasury and must not lapse to the general fund at the end of the fiscal year. The total amount appropriated under this section and section 303 must not exceed $300,000.00.

Sec. 303. The department may make available to interested entities customized listings of nonconfidential information in its possession. The department may establish and collect a reasonable charge to provide this service. The revenue from this service is appropriated when received and must be used to offset expenses to provide the service. Any balance of this revenue collected and unexpended at the end of the fiscal year must lapse to the appropriate restricted fund. The total amount appropriated under this section and section 302 must not exceed $300,000.00.

Sec. 304. (1) The department shall prepare an annual report that includes, but is not limited to, all of the following information:

(a) The number of out-of-network billing complaints received by the department from enrollees or their authorized representatives.

(b) The number of out-of-network billing complaints received by the department from enrollees or their authorized representatives, separated by provider specialty.

(c) For each health plan, the ratio of out-of-network billing complaints to the total number of enrollees in the health plan.

(d) Insurer network adequacy by provider specialty.

(2) The department shall provide the report described under subsection (1) to the standing committees of the senate and house of representatives with primary jurisdiction over insurance and health policy issues and the subcommittees. The report must be posted on the department's website.

Sec. 305. Effective January 1, 2021, the department must provide a midyear update to the report required under section 6303 of the insurance code of 1956, 1956 PA 218, MCL 500.6303. The department shall transmit to the standing committees of the senate and house with primary jurisdiction over insurance issues, the subcommittees, the senate and house fiscal agencies, and the state budget director.

Sec. 306. The department must produce a report and transmit the report to the subcommittees, senate and house fiscal agencies, and state budget director by December 31. The report must include all of the following information for the prior fiscal year:

(a) The number of complaints received by the office of consumer services, with number of complaints specified for auto insurers, health insurers, life insurers, other types of insurers, banks, credit unions, deferred presentment service providers, and other consumer finance license types.

(b) A description of the process that the office of consumer services uses to resolve complaints.

(c) A description of the types of complaints received by the office of consumer services pertaining to auto insurers, with counts of the number of complaints of that type received.

(d) The number of investigations that the office of consumer services initiated and the number of investigations that the office closed.

(e) The number of recoveries that the office of consumer services secured and the total value of those recoveries.

(f) The number and type of enforcement actions taken against licensees as a result of complaints received by the office of consumer services.

(g) A description of the staffing level and staff responsibilities in the office of consumer services.

Sec. 307. Effective January 1, 2021, the department must update examination manuals and letters of

guidance to state-chartered financial institutions as necessary to reflect how the department will evaluate institutions that provide banking or other financial services to marijuana-related businesses or businesses that transport, test, grow, process, or sell marijuana based on the most recent state laws and guidance. The department may also include guidance or information on how federal law and regulations may impact state-chartered institutions.

ARTICLE 8
JUDICIARY
PART 1
LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the judiciary for the fiscal year ending September 30, 2021, from the following funds:

JUDICIARY		
APPROPRIATION SUMMARY		
Full-time equated exempted positions	513.0	
GROSS APPROPRIATION	**$**	**313,641,200**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		1,552,800
ADJUSTED GROSS APPROPRIATION	**$**	**312,088,400**
Federal revenues:		
Total federal revenues		6,393,500
Special revenue funds:		
Total local revenues		7,654,500
Total private revenues		1,228,500
Total other state restricted revenues		94,877,600
State general fund/general purpose	**$**	**201,934,300**
Sec. 102. SUPREME COURT		
Full-time equated exempted positions	250.0	
Community dispute resolution—FTEs	3.0$	3,370,200
Direct trial court automation support—FTEs	44.0	7,654,500
Drug treatment courts		12,083,000
Foster care review board—FTEs	10.0	1,365,500
Judicial information systems—FTEs	24.0	4,845,800
Judicial institute—FTEs	13.0	2,026,900
Mental health courts and diversion services—FTE	1.0	5,472,500
Next generation Michigan court system		4,116,000
Other federal grants		275,100
State court administrative office—FTEs	63.0	11,390,000
Supreme court administration—FTEs	92.0	14,258,300
Swift and sure sanctions program		3,350,000
Veterans courts		936,400
GROSS APPROPRIATION	**$**	**71,144,200**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of corrections		52,800
IDG from department of state police		1,500,000
Federal revenues:		
DOJ, drug court training and evaluation		300,000
DOT, National Highway Traffic Safety Administration		1,951,300
HHS, access and visitation grant		498,700
HHS, children's justice grant		247,400
HHS, court improvement project		947,300
HHS, state opioid response grant		350,000
HHS, title IV-D child support program		840,300
HHS, title IV-E foster care program		410,300
Other federal grant revenues		275,100

		For Fiscal Year Ending Sept. 30, 2021
Special revenue funds:		
Local - user fees		7,654,500
Private		202,300
Private - interest on lawyers trust accounts		405,900
Private - state justice institute		531,400
Community dispute resolution fund		2,405,400
Court of appeals filing/motion fees		1,450,000
Drug court fund		1,920,500
Justice system fund		608,700
Law exam fees		763,500
Miscellaneous revenue		249,600
State court fund		405,900
State general fund/general purpose	**$**	**47,173,300**
Sec. 103. COURT OF APPEALS		
Full-time equated exempted positions	175.0	
Court of appeals operations—FTEs	175.0$	25,252,500
GROSS APPROPRIATION	**$**	**25,252,500**
Appropriated from:		
State general fund/general purpose	**$**	**25,252,500**
Sec. 104. BRANCHWIDE APPROPRIATIONS		
Full-time equated exempted positions	4.0	
Branchwide appropriations—FTEs	4.0$	8,767,800
GROSS APPROPRIATION	**$**	**8,767,800**
Appropriated from:		
State general fund/general purpose	**$**	**8,767,800**
Sec. 105. JUSTICES' AND JUDGES' COMPENSATION		
Judges positions—587.0 justices and judges		
Supreme court justices' salaries—7.0 justices	$	1,210,400
Circuit court judges' state base salaries—217.0 judges		23,761,500
Circuit court judicial salary standardization		9,922,100
Court of appeals judges' salaries—25.0 judges		4,200,200
District court judges' state base salaries—235.0 judges		25,303,300
District court judicial salary standardization		10,745,200
Probate court judges' state base salaries—103.0 judges		11,189,800
Probate court judicial salary standardization		4,669,600
Judges' retirement system defined contributions		5,173,200
OASI, Social Security		6,494,300
GROSS APPROPRIATION	**$**	**102,669,600**
Appropriated from:		
Special revenue funds:		
Court fee fund		3,329,400
State general fund/general purpose	**$**	**99,340,200**
Sec. 106. JUDICIAL AGENCIES		
Full-time equated exempted positions	7.0	
Judicial tenure commission—FTEs	7.0$	1,408,700
GROSS APPROPRIATION	**$**	**1,408,700**
Appropriated from:		
State general fund/general purpose	**$**	**1,408,700**
Sec. 107. INDIGENT DEFENSE - CRIMINAL		
Full-time equated exempted positions	56.0	
Appellate public defender program—FTEs	56.0$	8,644,400
GROSS APPROPRIATION	**$**	**8,644,400**

		For Fiscal Year Ending Sept. 30, 2021
Appropriated from:		
Federal revenues:		
Other federal grant revenues		573,100
Special revenue funds:		
Private - interest on lawyers trust accounts		88,900
Miscellaneous revenue		173,100
State general fund/general purpose	**$**	**7,809,300**
Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE		
Indigent civil legal assistance	$	7,937,000
GROSS APPROPRIATION	**$**	**7,937,000**
Appropriated from:		
Special revenue funds:		
State court fund		7,937,000
State general fund/general purpose	**$**	**0**
Sec. 109. TRIAL COURT OPERATIONS		
Full-time equated exempted positions	13.0	
Court equity fund reimbursements	$	60,815,700
Drug case-flow program		250,000
Drunk driving case-flow program		3,300,000
Judicial technology improvement fund		4,815,000
Juror compensation reimbursement—FTE	1.0	6,608,900
Statewide e-file system—FTEs	12.0	10,220,600
GROSS APPROPRIATION	**$**	**86,010,200**
Appropriated from:		
Special revenue funds:		
Court equity fund		50,440,000
Drug fund		250,000
Drunk driving fund		3,300,000
Electronic filing fee fund		10,220,600
Judicial technology improvement fund		4,815,000
Juror compensation fund		6,608,900
State general fund/general purpose	**$**	**10,375,700**
Sec. 110. ONE-TIME APPROPRIATIONS		
Full-time equated exempted positions	8.0	
Compliance with *Montgomery v Louisiana*—FTEs	7.0$	881,100
Expansion of problem solving courts		600,000
Pretrial risk assessment—FTE	1.0	325,700
GROSS APPROPRIATION	**$**	**1,806,800**
Appropriated from:		
State general fund/general purpose	**$**	**1,806,800**

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $296,811,900.00. State spending from state sources to be paid to local units of government under part 1 is $146,925,300.00.

JUDICIARY		
SUPREME COURT		
Drug treatment courts	$	8,578,900
Mental health courts and diversion services		5,472,500
Next generation Michigan court system		4,116,000

		For Fiscal Year Ending Sept. 30, 2021
Swift and sure sanctions program		3,350,000
Veterans courts		936,400
COURT OF APPEALS		
Court of appeals operations	$	200,000
JUSTICES' AND JUDGES' COMPENSATION		
Circuit court judicial salary standardization	$	9,922,100
District court judicial salary standardization		10,745,200
Probate court judges' state base salaries		11,189,800
Probate court judicial salary standardization		4,669,600
OASI, Social Security		1,134,600
TRIAL COURT OPERATIONS		
Court equity fund reimbursements	$	60,815,700
Drug case-flow program		250,000
Drunk driving case-flow program		3,300,000
Judicial technology improvement fund		4,815,000
Juror compensation reimbursement		6,608,900
Statewide e-file system		10,220,600
ONE-TIME APPROPRIATIONS		
Expansion of problem solving courts	$	600,000
TOTAL	**$**	**146,925,300**

Sec. 202. (1) The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) Funds appropriated in part 1 to an entity within the judicial branch shall not be expended or transferred to another account without written approval of the authorized agent of the judicial entity. If the authorized agent of the judicial entity notifies the state budget director of its approval of an expenditure or transfer, the state budget director shall immediately make the expenditure or transfer. The authorized judicial entity agent shall be designated by the chief justice of the supreme court.

Sec. 203. As used in this part and part 1:

(a) "DOJ" means the United States Department of Justice.

(b) "DOT" means the United States Department of Transportation.

(c) "FTE" means full-time equated.

(d) "HHS" means the United States Department of Health and Human Services.

(e) "IDG" means interdepartmental grant.

(f) "OASI" means old age survivor's insurance.

(g) "SADO" means the state appellate defender office created under the appellate defender act, 1978 PA 620, MCL 780.711 to 780.719.

(h) "Title IV-D" means the part of the federal social security act, 42 USC 301 to 1397mm, pertaining to the child support enforcement program.

(i) "Title IV-E" means the part of the federal social security act, 42 USC 301 to 1397mm, pertaining to the foster care program.

Sec. 204. The reporting requirements of this part shall be completed with the approval of, and at the direction of, the supreme court, except as otherwise provided in this part. The judicial branch shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 207. Not later than January 1 of each year, the state court administrative office shall prepare a report on out-of-state travel listing all travel by judicial branch employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the budget for the judicial

branch. The report shall be submitted to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees and the senate and house fiscal agencies.

Sec. 211. From the funds appropriated in part 1, the judicial branch shall maintain a searchable website accessible by the public at no cost that includes all expenditures made by the judicial branch within a fiscal year. The posting shall include the purpose for which each expenditure is made. The judicial branch shall not provide financial information on its website under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that financial information.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the judicial branch shall cooperate with the state budget office to provide the senate and house appropriations committee chairs, the senate and house appropriations subcommittee chairs, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.

Sec. 213. The judiciary shall maintain, on a publicly accessible website, a scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the judiciary's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $15,249,300.00. From this amount, total judiciary appropriations for pension-related legacy costs are estimated at $7,316,800.00. Total judiciary appropriations for retiree health care legacy costs are estimated at $7,932,500.00.

Sec. 215. The judicial branch shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff, unless the communication is prohibited by law and the judicial branch is exercising its authority as provided by law.

Sec. 216. It is the intent of the legislature that judges who are presiding over a hearing on a foster care case shall publicly acknowledge and request the input of the foster parent or foster parents during the hearing.

Sec. 217. If the judicial branch makes any changes to a foster care family service plan before its finalization, it is the intent of the legislature that the presiding judge provide an explanation for any changes to that plan in the court record.

Sec. 218. From the funds appropriated in part 1, the state court administrative office shall identify programs, within the department of health and human services, the department of labor and economic opportunity, and the department of corrections, that have programmatic connections with the participants in the swift and sure sanctions program. The purpose of this relationship is to leverage collaborations and to determine avenues of success for offenders who are eligible for state-provided programs. The state court administrative office shall provide guidance to courts participating in the swift and sure sanctions program, under the probation swift and sure sanctions act, chapter XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8, of the available department of health and human services, department of labor and economic opportunity, and department of corrections programming.

Sec. 219. The judicial branch shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The judicial branch may electronically retain copies of reports unless otherwise required by federal and state guidelines.

JUDICIAL BRANCH

Sec. 301. From the funds appropriated in part 1, the direct trial court automation support program of the state court administrative office shall recover direct and overhead costs from trial courts by charging for services rendered. The fee shall cover the actual costs incurred to the direct trial court automation support program in providing the service, including development of future versions of case management systems.

Sec. 302. Funds appropriated within the judicial branch shall not be expended by any component within the judicial branch without the approval of the supreme court.

Sec. 303. Of the amount appropriated in part 1 for the judicial branch, $711,900.00 is allocated for circuit court reimbursement under section 3 of 1978 PA 16, MCL 800.453, and for costs associated with the court of claims.

Sec. 304. A member of the legislature may request a report or data from the data collected in the judicial data warehouse. The report shall be made available to the public upon request, unless disclosure is prohibited by court order or state or federal law. Any data provided under this section shall be public and non-identifying information.

Sec. 305. From the funds appropriated in part 1 for community dispute resolution, community dispute resolution centers shall provide dispute resolution services specified in the community dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, and shall help to reduce suspensions and truancy, and improve school climate. Funding appropriated in part 1 for community dispute resolution may be used to develop or expand juvenile diversion services in cooperation with local prosecutors. Participation in the dispute resolution processes is voluntary for all parties.

Sec. 307. From the funds appropriated in part 1 for mental health courts and diversion services, $1,730,000.00 is intended to address the recommendations of the mental health diversion council.

Sec. 308. If sufficient funds are not available from the court fee fund to pay judges' compensation, the difference between the appropriated amount from that fund for judges' compensation and the actual amount available after the amount appropriated for trial court reimbursement is made shall be appropriated from the state general fund for judges' compensation. If an appropriation is made under this section, the state court administrative office shall notify, within 14 days of the appropriation, the senate and house standing committees on appropriations, the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget office.

Sec. 309. By April 1, the state court administrative office shall provide a report on drug treatment, mental health, and veterans court programs in this state. The report shall include information on the number of each type of program that has been established, the number of program participants in each jurisdiction, and the impact of the programs on offender criminal involvement and recidivism. The report shall be submitted to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget office.

Sec. 311. (1) The funds appropriated in part 1 for drug treatment courts as that term is defined in section 1060 of the revised judicature act of 1961, 1961 PA 236, MCL 600.1060, shall be administered by the state court administrative office to operate drug treatment court programs. A drug treatment court shall be responsible for handling cases involving substance abusing nonviolent offenders through comprehensive supervision, testing, treatment services, and immediate sanctions and incentives. A drug treatment court shall use all available county and state personnel involved in the disposition of cases including, but not limited to, parole and probation agents, prosecuting attorneys, defense attorneys, and community corrections providers. The funds may be used in connection with other federal, state, and local funding sources.

(2) From the funds appropriated in part 1, the chief justice shall allocate sufficient funds for the Michigan judicial institute to provide in-state training for those identified in subsection (1), including training for new drug treatment court judges.

(3) For drug treatment court grants, consideration for priority may be given to those courts where higher instances of substance abuse cases are filed.

(4) The judiciary shall receive $1,500,000.00 in Byrne formula grant funding as an interdepartmental grant from the department of state police to be used for expansion of drug treatment courts, to assist in avoiding prison bed space growth for nonviolent offenders in collaboration with the department of corrections.

Sec. 312. From the funds appropriated in part 1, the state court administrator shall produce a statistical report regarding the implementation of the parental rights restoration act, 1990 PA 211, MCL 722.901 to 722.908, as it pertains to minors seeking court-issued waivers of parental consent. The state court administrative office shall report the total number of petitions filed and the total number of petitions granted under that act.

Sec. 316. (1) From the funds appropriated in part 1 for pretrial risk assessment, the state court administrative office shall continue to pilot a pretrial risk assessment tool in an effort to provide relevant information to judges so they can make evidence-based bond decisions that will increase public safety and reduce costs associated with unnecessary pretrial detention.

(2) The state court administrative office shall submit a status report by February 1 to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget office. The report shall include, but not be limited to, all of the following:

(a) An assessment of the effectiveness of the pretrial risk assessment tool pilot program that was implemented in the prior fiscal year. The assessment shall include, but not be limited to, for defendants screened by the pretrial risk assessment tool, the failure to appear rate for each type of bond, including personal recognizance with or without conditions, 10% deposit bail with or without conditions, and cash or surety bail with or without conditions.

(b) Plans to expand use of the assessment tool.

(c) Details on prior year expenditures, allocations, and planned expenditures.

Sec. 317. Funds appropriated in part 1 shall not be used for the permanent assignment of state-owned vehicles to justices or judges or any other judicial branch employee. This section does not preclude the use of state-owned motor pool vehicles for state business in accordance with approved guidelines.

Sec. 320. (1) From the funds appropriated in part 1 for the swift and sure sanctions program, created under section 3 of chapter XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.3, the state court administrative office shall administer a program to distribute grants to qualifying courts in accordance with the objectives and requirements of the probation swift and sure sanctions act, chapter XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8. Of the funds designated for the program, not more than $100,000.00 shall be available to the state court administrative office to pay for employee costs associated with the administration of the program funds. Of the funds designated for the program, $500,000.00 is reserved for programs in counties that had more than 325 individuals sentenced to prison in the previous calendar year. Courts interested in participating in the swift and sure sanctions program may apply to the state court administrative office for a portion of the funds appropriated in part 1 under this section.

(2) By April 1, the state court administrative office, in cooperation with the department of corrections, shall provide a report on the courts that receive funding under the swift and sure sanctions program described in subsection (1) to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget office. The report shall include all of the following:

(a) The number of offenders who participate in the program.

(b) The criminal history of offenders who participate in the program.

(c) The recidivism rate of offenders who participate in the program, including the rate of return to jail, prison, or both.

(d) A detailed description of the establishment and parameters of the program.

(e) A list of courts participating in the program.

(f) An accounting of prior year expenditures, including grant amounts requested by the courts, grant amounts awarded to the courts, and grant amounts expended by the courts.

(3) As used in this section, "program" means a swift and sure sanctions program described in subsection (1).

Sec. 321. From the funds appropriated in part 1, the judicial branch shall support a statewide legal self-help internet website and local nonprofit self-help centers that use the statewide website to provide assistance to individuals representing themselves in civil legal proceedings. The state court administrative office shall summarize the costs of maintaining the website, provide statistics on the number of people visiting the website, and provide information on content usage, form completion, and user feedback. By March 1, the state court administrative office shall report this information for the preceding fiscal year to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget office.

Sec. 322. If Byrne formula grant funding is awarded to the state appellate defender in excess of the amount appropriated in part 1, the state appellate defender office may receive and expend Byrne formula grant funds in an amount not to exceed $250,000.00 as an interdepartmental grant from the department of state police. If the appellate defender appointed under section 3 of the appellate defender act, 1978 PA 620, MCL 780.713, receives federal grant funding from the United States Department of Justice in excess of the amount appropriated in part 1, the office of appellate defender may receive and expend grant funds in an amount not to exceed $300,000.00 as other federal grants.

Sec. 324. From the funds appropriated in part 1 for the medication-assisted treatment program, the judiciary shall maintain a medication-assisted treatment program to provide treatment for opioid-addicted and alcohol-addicted individuals who are referred to and voluntarily participate in the medication-assisted treatment program.

ONE-TIME APPROPRIATIONS

Sec. 402. (1) From the funds appropriated in part 1, the state appellate defender office attorneys and support staff shall ensure Michigan compliance with *Montgomery v Louisiana*, 577 US _____ (2016). The purpose of the program is to ensure competent, resourced, and supervised counsel in cases involving the resentencing of juvenile lifers. The representation by SADO counsel will create opportunities for release, saving prison costs for the state.

(2) The state appellate defender office shall submit a report by September 30 to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget office on the number of juvenile lifer cases investigated and prepared by the state appellate defender office. The

report shall include a calculation of hours spent and focus on incremental costs associated with investigating and conducting a robust examination of each case, with particular emphasis on those costs that may be avoided after the cases have been disposed.

Sec. 403. From the funds appropriated in part 1 for expansion of problem solving courts, $100,000.00 shall be used by the state court administrative office to create a pilot program in a veterans treatment court or a mental health treatment court, or both, that investigates the effectiveness of oral fluid testing to determine compliance with required mental health medicine prescriptions or requirements.

ARTICLE 9

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	30.0	
Full-time equated classified positions	1,827.9	
GROSS APPROPRIATION	**$**	**484,389,600**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		46,664,600
ADJUSTED GROSS APPROPRIATION	**$**	**437,725,000**
Federal revenues:		
Total federal revenues		28,823,700
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		259,295,700
State general fund/general purpose	**$**	**149,605,600**
Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated unclassified positions	30.0	
Full-time equated classified positions	100.0	
Unclassified salaries—FTEs	30.0$	2,572,400
Administrative services—FTEs	73.0	8,644,800
Executive director programs—FTEs	24.0	2,916,600
FOIA coordination—FTEs	3.0	331,900
Property management		8,218,600
Worker's compensation		304,300
GROSS APPROPRIATION	**$**	**22,988,600**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from DIFS, accounting services		150,000
Federal revenues:		
EPA, underground storage tanks		30,500
HHS-Medicaid, certification of health care providers and suppliers		421,900
HHS-Medicare, certification of health care providers and suppliers		613,500
Special revenue funds:		
Aboveground storage tank fees		94,400
Accountancy enforcement fund		61,300
Boiler inspection fund		288,400
Builder enforcement fund		102,900
Construction code fund		831,200
Corporation fees		4,409,800
Elevator fees		310,600
Fire alarm fees		7,400

		For Fiscal Year Ending Sept. 30, 2021
Fire safety standard and enforcement fund		2,100
Fire service fees		461,300
Fireworks safety fund		60,500
Health professions regulatory fund		1,725,400
Health systems fees		257,600
Licensing and regulation fund		995,700
Liquor license revenue		300,000
Liquor purchase revolving fund		3,205,900
Marihuana registry fund		823,300
Marihuana regulation fund		412,600
Marihuana regulatory fund		685,200
Michigan unarmed combat fund		5,900
Mobile home code fund		285,300
Nurse professional fund		38,900
PMECSEMA fund		46,500
Property development fees		7,400
Public utility assessments		3,163,200
Real estate appraiser education fund		2,600
Real estate education fund		11,400
Real estate enforcement fund		11,700
Refined petroleum fund		173,300
Restructuring mechanism assessments		31,900
Securities fees		1,729,700
Securities investor education and training fund		9,200
Security business fund		7,000
Survey and remonumentation fund		98,300
Tax tribunal fund		825,300
Utility consumer representation fund		54,000
State general fund/general purpose	**$**	**235,500**
Sec. 103. PUBLIC SERVICE COMMISSION		
Full-time equated classified positions	188.0	
Public service commission—FTEs	188.0$	33,014,200
GROSS APPROPRIATION	**$**	**33,014,200**
Appropriated from:		
Federal revenues:		
DOT, gas pipeline safety		2,273,300
Special revenue funds:		
Public utility assessments		30,168,300
Restructuring mechanism assessments		572,600
State general fund/general purpose	**$**	**0**
Sec. 104. LIQUOR CONTROL COMMISSION		
Full-time equated classified positions	145.0	
Liquor licensing and enforcement—FTEs	116.0$	16,579,200
Management support services—FTEs	29.0	4,710,600
GROSS APPROPRIATION	**$**	**21,289,800**
Appropriated from:		
Special revenue funds:		
Direct shipper enforcement revolving fund		303,300
Liquor control enforcement and license investigation revolving fund		175,000
Liquor license fee enhancement fund		76,400
Liquor license revenue		7,848,500
Liquor purchase revolving fund		12,886,600

		For Fiscal Year Ending Sept. 30, 2021
State general fund/general purpose	**$**	**0**
Sec. 105. OCCUPATIONAL REGULATION		
Full-time equated classified positions	1,166.9	
Adult foster care and camps licensing and regulation—FTEs	96.0$	13,144,400
Bureau of community and health systems administration—FTEs	20.0	13,365,700
Bureau of construction codes—FTEs	182.0	23,980,600
Bureau of fire services—FTEs	79.0	12,552,700
Bureau of professional licensing—FTEs	205.0	40,873,400
Childcare licensing and regulation—FTEs	117.0	18,652,000
Corporations, securities, and commercial licensing bureau—FTEs	109.0	15,275,400
Health facilities regulation—FTEs	192.9	23,289,400
Marihuana treatment research		20,000,000
Medical marihuana facilities licensing and tracking—FTEs	99.0	11,682,200
Medical marihuana program—FTEs	25.0	5,162,500
Nurse aide program—FTEs	8.0	600,000
Recreational marihuana regulation—FTEs	34.0	6,736,200
Urban search and rescue		1,000,000
GROSS APPROPRIATION	**$**	**206,314,500**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDE, child care licensing		19,833,800
Federal revenues:		
DHS, fire training systems		528,000
DOT, hazardous materials training and planning		60,000
EPA, underground storage tanks		804,400
HHS-Medicaid, certification of health care providers and suppliers		8,757,200
HHS-Medicare, certification of health care providers and suppliers		14,147,600
Special revenue funds:		
Aboveground storage tank fees		230,400
Accountancy enforcement fund		778,600
Adult foster care facilities licenses fund		411,600
Boiler inspection fund		3,442,600
Builder enforcement fund		644,000
Child care home and center licenses fund		501,700
Construction code fund		8,335,400
Corporation fees		7,734,600
Division on deafness fund		93,400
Elevator fees		4,413,900
Fire alarm fees		133,700
Fire safety standard and enforcement fund		41,000
Fire service fees		2,662,100
Fireworks safety fund		1,236,200
Health professions regulatory fund		25,407,700
Health systems fees		3,937,400
Licensing and regulation fund		12,654,100
Liquor purchase revolving fund		149,500
Marihuana registry fund		5,162,500
Marihuana regulation fund		26,736,200
Marihuana regulatory fund		12,182,200
Mobile home code fund		3,088,500
Nurse aide registration fund		600,000

		For Fiscal Year Ending Sept. 30, 2021
Nurse professional fund		1,967,000
Nursing home administrative penalties		100,000
PMECSEMA fund		1,894,000
Property development fees		292,600
Real estate appraiser education fund		65,500
Real estate education fund		347,100
Real estate enforcement fund		704,400
Refined petroleum fund		2,655,900
Securities fees		5,519,600
Securities investor education and training fund		494,300
Security business fund		236,500
Survey and remonumentation fund		885,400
State general fund/general purpose	**$**	**26,443,900**
Sec. 106. MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES		
Full-time equated classified positions	212.0	
Michigan office of administrative hearings and rules—FTEs	212.0$	38,834,800
GROSS APPROPRIATION	**$**	**38,834,800**
Appropriated from:		
Interdepartmental grant revenues:		
IDG revenues—administrative hearings and rules		26,680,800
Special revenue funds:		
Construction code fund		26,800
Corporation fees		4,321,200
Health professions regulatory fund		411,100
Health systems fees		161,600
Licensing and regulation fund		890,300
Liquor purchase revolving fund		713,500
Marihuana regulation fund		100,000
Marihuana regulatory fund		252,500
Public utility assessments		2,668,600
Securities fees		1,070,500
Tax tribunal fund		852,300
State general fund/general purpose	**$**	**685,600**
Sec. 107. COMMISSIONS		
Full-time equated classified positions	16.0	
Michigan indigent defense commission—FTEs	16.0$	2,714,000
Michigan unarmed combat commission		126,200
GROSS APPROPRIATION	**$**	**2,840,200**
Appropriated from:		
Special revenue funds:		
Michigan unarmed combat fund		126,200
State general fund/general purpose	**$**	**2,714,000**
Sec. 108. DEPARTMENT GRANTS		
Firefighter training grants	$	2,300,000
Liquor law enforcement grants		8,400,000
Medical marihuana operation and oversight grants		3,000,000
Michigan indigent defense commission grants		117,467,400
Remonumentation grants		6,800,000
Utility consumer representation fund		750,000
GROSS APPROPRIATION	**$**	**138,717,400**

		For Fiscal Year Ending Sept. 30, 2021
Appropriated from:		
Special revenue funds:		
Fireworks safety fund		2,300,000
Liquor license revenue		8,400,000
Local indigent defense reimbursement		200,000
Marihuana registry fund		3,000,000
Survey and remonumentation fund		6,800,000
Utility consumer representation fund		750,000
State general fund/general purpose	**$**	**117,267,400**
Sec. 109. INFORMATION TECHNOLOGY		
Information technology services and projects	$	19,390,100
GROSS APPROPRIATION	**$**	**19,390,100**
Appropriated from:		
Federal revenues:		
DOT, gas pipeline safety		45,000
EPA, underground storage tanks		100,200
HHS-Medicaid, certification of health care providers and suppliers		358,300
HHS-Medicare, certification of health care providers and suppliers		683,800
Aboveground storage tank fees		34,600
Accountancy enforcement fund		1,100
Boiler inspection fund		338,800
Construction code fund		778,800
Corporation fees		4,693,100
Elevator fees		476,900
Fire safety standard and enforcement fund		3,000
Fire service fees		199,200
Fireworks safety fund		47,200
Health professions regulatory fund		1,371,300
Health systems fees		348,200
Licensing and regulation fund		1,901,700
Liquor purchase revolving fund		3,389,800
Marihuana registry fund		352,100
Marihuana regulation fund		270,900
Marihuana regulatory fund		291,800
Michigan unarmed combat fund		6,800
Mobile home code fund		171,400
PMECSEMA fund		68,600
Public utility assessments		1,508,200
Real estate appraiser education fund		1,000
Real estate education fund		1,900
Refined petroleum fund		170,800
Restructuring mechanism assessments		28,100
Securities fees		229,700
Securities investor education and training fund		1,000
Survey and remonumentation fund		74,100
Tax tribunal fund		183,500
State general fund/general purpose	**$**	**1,259,200**
Sec. 110. ONE-TIME APPROPRIATIONS		
Michigan saves	$	1,000,000
GROSS APPROPRIATION	**$**	**1,000,000**
Appropriated from:		
State general fund/general purpose	**$**	**1,000,000**

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $408,901,300.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $137,967,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS		
Firefighter training grants	$	2,300,000
Liquor law enforcement grants		8,400,000
Medical marihuana operation and oversight grants		3,000,000
Michigan indigent defense commission grants		117,467,400
Remonumentation grants		6,800,000
TOTAL DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS	**$**	**137,967,400**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "Department" means the department of licensing and regulatory affairs.

(b) "Director" means the director of the department.

(c) "FOIA" means the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(d) "FTE" means full-time equated.

(e) "IDG" means interdepartmental grant.

(f) "Subcommittees" means the subcommittees of the house and senate appropriations committees with jurisdiction over the budget for the department.

Sec. 204. The department shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in this part and part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the legislature or his or her staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 207. (1) Out-of-state travel shall be limited to situations when travel is approved by a departmental employee's immediate supervisor and in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless a professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 individual from the department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

(3) Not later than January 1, the department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the house and

senate appropriations committees, the senate and house fiscal agencies, and the state budget director. The report shall include all of the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 208. Funds appropriated in part 1 shall not be used by the department to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees and the senate and house fiscal agencies.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $200,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department and each agency:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the subcommittees, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $47,354,500.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $22,721,300.00. Total agency appropriations for retiree health care legacy costs are estimated at $24,633,200.00.

Sec. 215. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to

18.1594, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the subcommittees, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 221. The department may carry into the succeeding fiscal year unexpended federal pass-through funds to local institutions and governments that do not require additional state matching funds. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 and that do not require additional state matching funds are appropriated for the purposes intended. Within 14 days after the receipt of federal pass-through funds, the department shall notify the house and senate chairpersons of the subcommittees, the senate and house fiscal agencies, and the state budget director of pass-through funds appropriated under this section.

Sec. 222. (1) Grants supported with private revenues received by the department are appropriated upon receipt and are available for expenditure by the department, subject to subsection (3), for purposes specified within the grant agreement and as permitted under state and federal law.

(2) Within 10 days after the receipt of a private grant appropriated in subsection (1), the department shall notify the house and senate chairpersons of the subcommittees, the senate and house fiscal agencies, and the state budget director of the receipt of the grant, including the fund source, purpose, and amount of the grant.

(3) The amount appropriated under subsection (1) shall not exceed $1,500,000.00.

Sec. 223. (1) The department may charge registration fees to attendees of informational, training, or special events sponsored by the department, and related to activities that are under the department's purview.

(2) These fees shall reflect the costs for the department to sponsor the informational, training, or special events.

(3) Revenue generated by the registration fees is appropriated upon receipt and available for expenditure to cover the department's costs of sponsoring informational, training, or special events.

(4) Revenue generated by registration fees in excess of the department's costs of sponsoring informational, training, or special events shall carry forward to the subsequent fiscal year and not lapse to the general fund.

(5) The amount appropriated under subsection (3) shall not exceed $500,000.00.

Sec. 224. The department may make available to interested entities otherwise unavailable customized listings of nonconfidential information in its possession, such as names and addresses of licensees. The

department may establish and collect a reasonable charge to provide this service. The revenue received from this service is appropriated when received and shall be used to offset expenses to provide the service. Any balance of this revenue collected and unexpended at the end of the fiscal year shall lapse to the appropriate restricted fund.

Sec. 225. (1) The department shall sell documents at a price not to exceed the cost of production and distribution. Money received from the sale of these documents shall revert to the department. In addition to the funds appropriated in part 1, these funds are available for expenditure when they are received by the department of treasury. This subsection applies only for the following documents:

(a) Corporation and securities division documents, reports, and papers required or permitted by law pursuant to section 1060(6) of the business corporation act, 1972 PA 284, MCL 450.2060.

(b) The Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303.

(c) The mobile home commission act, 1987 PA 96, MCL 125.2301 to 125.2350; the business corporation act, 1972 PA 284, MCL 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192; and the uniform securities act (2002), 2008 PA 551, MCL 451.2101 to 451.2703.

(d) Construction code manuals.

(e) Copies of transcripts from administrative law hearings.

(2) In addition to the funds appropriated in part 1, funds appropriated for the department under sections 57, 58, and 59 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, 24.258, and 24.259, and section 203 of the legislative council act, 1986 PA 268, MCL 4.1203, are appropriated for all expenses necessary to provide for the cost of publication and distribution.

(3) Unexpended funds at the end of the fiscal year shall carry forward to the subsequent fiscal year and not lapse to the general fund.

Sec. 226. (1) Not later than December 31, the department shall submit a report to the subcommittees, the senate and house fiscal agencies, and the state budget director pertaining to licensing and regulatory programs during the previous 3 fiscal years, if available, for the following agencies:

(a) Liquor control commission.

(b) Bureau of fire services.

(c) Bureau of construction codes.

(d) Corporations, securities, and commercial licensing bureau.

(e) Bureau of professional licensing.

(f) Bureau of community and health systems.

(2) The report shall be in a format that is consistent between the agencies listed in subsection (1) and shall provide, but is not limited to, the following information for the 3 previous fiscal years, as applicable, for each agency; agencies listed in subsection (1)(a) and (b) shall report by regulated activity and agencies listed in subsection (1)(c), (d), (e), and (f) shall report by regulatory product and/or regulated activity:

(a) Revenue generated by and expenditures disbursed by regulatory fund.

(b) Revenue generated by regulatory product or regulated activity.

(c) The renewal cycle and amount of each fee charged.

(d) Number of initial applications.

(e) Number of initial applications denied.

(f) Number of license renewals.

(g) Average amount of time to approve or deny completed applications.

(h) Number of examinations proctored for initial applications.

(i) A description of the types of complaints received.

(j) A description of the process used to resolve complaints.

(k) Number of complaints received.

(*l*) Number of complaints investigated.

(m) Number of complaints closed with no action.

(n) Number of complaints resulting in administrative actions or citations.

(o) Average amount of time to complete investigations.

(p) Number of enforcement actions, including license revocations, suspensions, and fines.

(q) A description of the types of enforcement actions taken against licensees.

(r) Number of administrative hearing adjudications.

(3) As used in subsection (2), “regulatory product” means each occupation, profession, trade, or program, which includes licensure, certification, registration, inspection, review, permitting, approval, or any other regulatory service provided by the agencies specified in subsection (1) for each regulated activity. As used in this subsection and subsection (2), “regulated activity” means the particular activities, entities, facilities, and industries regulated by the agencies specified in subsection (1).

Sec. 227. It is the intent of the legislature that the department establish an employee performance monitoring process that is consistent throughout the department in addition to current civil service commission evaluations. By April 1, the department shall submit a report to the state budget office, the subcommittees, and the senate and house fiscal agencies on changes to the employee performance monitoring process that are planned or implemented, as well as the number of employee evaluations performed.

Sec. 228. Unless prohibited by law, the department may accept credit card or other electronic means of payment for licenses, fees, or permits.

Sec. 229. The department shall submit a report to the subcommittees, the senate and house fiscal agencies, and the state budget director by September 30 detailing any expenditure of funds for a television or radio production that was made to a third-party vendor in the fiscal year ending September 30, 2021. The report must include the following information for each expenditure:

(a) Total amount of the expenditure.

(b) Fund source for the expenditure.

(c) Name of the vendor(s) that created the production and the amount paid to the vendor(s).

(d) Purpose of the production.

PUBLIC SERVICE COMMISSION

Sec. 301. The public service commission administers the low-income energy assistance grant program on behalf of the Michigan department of health and human services via an interagency agreement. Funds supporting the grant program are appropriated in the department upon awarding of grants and may be expended for grant payments and administrative related expenses incurred in the operation of the program.

LIQUOR CONTROL COMMISSION

Sec. 401. (1) From the appropriations in part 1 from the direct shipper enforcement fund, the liquor control commission shall expend these funds as required under section 203(11) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1203, to investigate and audit unlawful direct shipments of wine by unlicensed wineries and retailers, with priority directed toward unlicensed out-of-state retailers and third-party marketers. In addition to other investigative methods, the commission shall use shipping records available to it under section 203(21) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1203, to assist with this effort. The liquor control commission must refer all unlicensed out-of-state retailers and third-party marketers identified with the shipping records to the attorney general.

(2) By February 1, the liquor control commission shall provide a report to the legislature, the subcommittees, and the state budget director detailing the commission's activities to investigate and audit the illegal shipping of wine and the results of these activities. The report shall include the following:

(a) Work hours spent, specific actions undertaken, and the number of FTEs dedicated to identifying and stopping unlicensed out-of-state retailers, third-party marketers, and wineries that ship illegally in Michigan.

(b) General overview of expenditures associated with efforts to identify and stop unlicensed out-of-state retailers, third-party marketers, and wineries that ship illegally in Michigan.

(c) Number of out-of-state entities found to have illegally shipped wine into Michigan and total number of bottles (750 ml), number of cases with 750 ml bottles, number of liters, number of gallons, or weight of illegally shipped wine. These items must be broken down by total number of retailers and total number of wineries.

(d) Suggested areas of focus on how to address direct shipper enforcement and illegal importation in the future.

(e) Number of unlicensed out-of-state entities found to have illegally shipped wine into Michigan identified with the shipping records under subsection (1).

(f) Number of notices sent under subsection (3).

(3) From the appropriations in part 1 from the direct shipper enforcement fund, the liquor control commission shall send a notice to each unlicensed out-of-state entity found to have illegally shipped wine into Michigan that has been identified via the shipping records under subsection (1). The notice must include all of the following:

(a) Notification that shipping wine into Michigan by retailers and third-party marketers is illegal, and wineries shipping into Michigan must obtain a direct shipper license.

(b) Under section 909 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1909, making unlawful shipments of wine into Michigan may be a felony punishable by imprisonment for not more than 4 years or a fine of not more than $5,000.00, or both.

(c) Notice that the matter has been referred to the attorney general.

OCCUPATIONAL REGULATION

Sec. 501. Money appropriated under this part and part 1 for the bureau of fire services shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

Operation and maintenance inspection fee

Facility type	Facility size	Fee
Hospitals	Any	$8.00 per bed

Plan review and construction inspection fees for hospitals and schools

Project cost range	Fee
$101,000.00 or less	minimum fee of $155.00
$101,001.00 to $1,500,000.00	$1.60 per $1,000.00
$1,500,001.00 to $10,000,000.00	$1.30 per $1,000.00
$10,000,001.00 or more	$1.10 per $1,000.00 or a maximum fee of $60,000.00.

Sec. 502. The funds collected by the department for licenses, permits, and other elevator regulation fees set forth in the Michigan Administrative Code and as determined under section 8 of 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816, that are unexpended at the end of the fiscal year shall carry forward to the subsequent fiscal year.

Sec. 503. Not later than February 15, the department shall submit a report to the subcommittees, the senate and house fiscal agencies, and the state budget director providing the following information:

(a) The number of veterans who were separated from service in the Armed Forces of the United States with an honorable character of service or under honorable conditions (general) character of service, individually or if a majority interest of a corporation or limited liability company, that were exempted from paying licensure, registration, filing, or any other fees collected under each licensure or regulatory program administered by the bureau of construction codes, the bureau of professional licensing, and the corporations, securities, and commercial licensing bureau during the preceding fiscal year.

(b) The specific fees and total amount of revenue exempted under each licensure or regulatory program administered by the bureau of construction codes, the bureau of professional licensing, and the corporations, securities, and commercial licensing bureau during the preceding fiscal year.

(c) The actual costs of providing licensing and other regulatory services to veterans exempted from paying licensure, registration, filing, or any other fees during the preceding fiscal year and a description of how these costs were calculated.

(d) The estimated amount of revenue that will be exempted under each licensure or regulatory program administered by the bureau of construction codes, the bureau of professional licensing, and the corporations, securities, and commercial licensing bureau in both the current and subsequent fiscal years and a description of how the exempted revenue was estimated.

Sec. 504. Funds remaining in the homeowner construction lien recovery fund are appropriated to the department for payment of court-ordered homeowner construction lien recovery fund judgments entered prior to August 23, 2010. Pursuant to available funds, the payment of final judgments shall be made in the order in which the final judgments were entered and began accruing interest.

Sec. 505. The department shall submit a comprehensive annual report for all programs administered by the marijuana regulatory agency by January 31 to the standing committees on appropriations of the senate and house of representatives, the senate and house fiscal agencies, and the state budget director. This report shall include, but is not limited to, all of the following information for the prior fiscal year regarding the marihuana programs under the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 to 333.26430; the Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27101 to 333.27801, and the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27951 to 333.27967:

(a) The number of initial applications received, by license category.

(b) The number of initial applications approved and the number of initial applications denied, by license category.

(c) The average amount of time, from receipt to approval or denial, to process an initial application, by license category.

(d) The number of renewal applications approved, by license category and by county.

(e) The number of renewal applications received, by license category, and by county, if applicable.

(f) The number of renewal applications denied, by license category and by county.

(g) The average amount of time, from receipt to approval or denial, to process a renewal application, by license category, if applicable.

(h) The percentage of initial applications not approved or denied within the time requirements established in the respective act, by license category, if applicable.

(i) The percentage of renewal applications not approved or denied within the time requirements established in the respective act, by license category, if applicable.

(j) The total amount collected from application fees or established regulatory assessment and the specific fund this amount is deposited into, by license category.

(k) The costs of administering the licensing program under each of the above-referenced acts.

(*l*) The registered name and addresses of all facilities licensed under the above-referenced acts, by license category and by county.

(m) Number of complaints received pertaining to the above-referenced acts, by license type or regulatory activity.

(n) A description of the types of complaints received.

(o) A description of the process used to resolve complaints.

(p) Number of investigations opened pertaining to each license category.

(q) Number of investigations closed pertaining to each license category.

(r) Average amount of time to complete investigations pertaining to each license category.

(s) Number of enforcement actions pertaining to each license category.

(t) A description of the types of enforcement actions taken against licensees.

(u) Number of administrative hearing adjudications pertaining to each license type.

(v) A list of the fees charged for license applications, license renewals, and registry cards.

Sec. 506. If the revenue collected by the department for health systems administration from fees and collections exceeds the amount appropriated in part 1, the revenue may be carried forward into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

Sec. 507. Not later than February 1, the department shall submit a report to the subcommittees, the senate and house fiscal agencies, and state budget director providing the following information:

(a) The total amount of reimbursements made to local units of government for delegated inspections of fireworks retail locations pursuant to section 11 of the Michigan fireworks safety act, 2011 PA 256, MCL 28.461, from the funds appropriated in part 1 for the bureau of fire services during the preceding fiscal year.

(b) The amount of reimbursement for delegated inspections of fireworks retail locations for each local unit of government that received reimbursement from the funds appropriated in part 1 for the bureau of fire services during the preceding fiscal year.

Sec. 508. (1) Beginning October 1, for the purpose of defraying the costs associated with responding to false final inspection appointments and to discourage the practice of calling for final inspections when the project is incomplete or noncompliant with a plan of correction previously provided by the bureau of fire services, the bureau of fire services may assess a fee not to exceed $200.00 for responding to a second or subsequent confirmed false inspection appointment. Fees collected under this section shall be deposited into the restricted account referenced by section 2c(2) of the fire prevention code, 1941 PA 207, MCL 29.2c, and explicitly identified within the statewide integrated governmental management applications system.

(2) Not later than September 30, the department shall prepare a report that provides the amount of the fee assessed under subsection (1), the number of fees assessed and issued per region, the cost allocation for the work performed and reduced as a result of this section, and any recommendations for consideration by the legislature. The department shall submit this information to the state budget director, the subcommittees, and the senate and house fiscal agencies.

Sec. 510. The department shall submit a report on the Michigan automated prescription system to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director by November 30. The report shall include, but is not limited to, the following:

(a) Total number of licensed health professionals registered to the Michigan automated prescription system.

(b) Total number of dispensers registered to the Michigan automated prescription system.

(c) Total number of prescribers using the Michigan automated prescription system.

(d) Total number of dispensers using the Michigan automated prescription system.

(e) Number of cases related to overprescribing, overdispensing, and drug diversion where the department took administrative action as a result of information and data generated from the Michigan automated prescription system.

(f) The number of hospitals, doctor's offices, pharmacies, and other health facilities that have integrated the Michigan automated prescription system into their electronic health records systems.

(g) Total number of delegate users registered to the Michigan automated prescription system.

Sec. 511. From the amount appropriated in part 1 for the bureau of community and health systems administration, upon receipt of the order of suspension of a licensed adult foster care home, home for the aged, or nursing home, the department shall serve the facility and provide contemporaneous notice to the offices of legislators representing a district where the licensed facility is situated and to the senate and house subcommittees on health and human services.

COMMISSIONS

Sec. 801. If Byrne formula grant funding is awarded to the Michigan indigent defense commission, the Michigan indigent defense commission may receive and expend Byrne formula grant funds in an amount not to exceed $250,000.00 as an interdepartmental grant from the department of state police. The Michigan indigent defense commission, created under section 5 of the Michigan indigent defense commission act, 2013 PA 93, MCL 780.985, may receive and expend federal grant funding from the United States Department of Justice in an amount not to exceed $300,000.00 as other federal grants.

Sec. 802. From the funds appropriated in part 1, the Michigan indigent defense commission shall submit a report by September 30 to the senate and house appropriations subcommittees on licensing and regulatory affairs, the senate and house fiscal agencies, and the state budget director on the incremental costs associated with the standard development process, the compliance plan process, and the collection of data from all indigent defense systems and attorneys providing indigent defense. Particular emphasis shall be placed on those costs that may be avoided after standards are developed and compliance plans are in place.

DEPARTMENT GRANTS

Sec. 901. (1) The department shall expend the funds appropriated in part 1 for medical marihuana operation and oversight grants for grants to counties for education and outreach programs relating to the Michigan medical marihuana program pursuant to section 6(*l*) of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26426. These grants shall be distributed proportionately based on the number of registry identification cards issued to or renewed for the residents of each county that applied for a grant under subsection (2). For the purposes of this subsection, operation and oversight grants are for education, communication, and outreach regarding the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 to 333.26430. Grants provided under this section must not be used for law enforcement purposes.

(2) Not later than December 1, the department shall post a listing of potential grant money available to each county on its website. In addition, the department shall work collaboratively with counties regarding the availability of these grant funds. A county requesting a grant shall apply on a form developed by the department and available on its website. The form shall contain the county's specific projected plan for use of the money and its agreement to maintain all records and to submit documentation to the department to support the use of the grant money.

(3) In order to be eligible to receive a grant under subsection (1), a county shall apply not later than January 1 and agree to report how the grant was expended and to provide that report to the department not later than September 15. The department shall submit a report not later than October 15 of the subsequent fiscal year to the state budget director, the subcommittees, and the senate and house fiscal agencies detailing the grant amounts by recipient and the reported uses of the grants in the preceding fiscal year.

Sec. 902. (1) The amount appropriated in part 1 for firefighter training grants shall only be expended for payments to counties to reimburse organized fire departments for firefighter training and other activities required under the firefighters training council act, 1966 PA 291, MCL 29.361 to 29.377.

(2) If the amount appropriated in part 1 for firefighter training grants is expended by the firefighters training council, established in section 3 of the firefighters training council act, 1966 PA 291, MCL 29.363, for payments to counties under section 14 of the firefighters training council act, 1966 PA 291, MCL 29.374, it is the intent of the legislature that:

(a) The amount appropriated in part 1 for firefighter training grants shall be allocated pursuant to section 14(2) of the firefighters training council act, 1966 PA 291, MCL 29.374.

(b) If the amount allocated to any county under subdivision (a) is less than $5,000.00, the amounts disbursed to each county under subdivision (a) shall be adjusted to provide for a minimum payment of $5,000.00 to each county.

(3) Not later than February 1, the department shall submit a financial report to the subcommittees, the senate and house fiscal agencies, and the state budget director identifying the following information for the preceding fiscal year:

(a) The amount of the payments that would be made to each county if the distribution formula described by the first sentence of section 14(2) of the firefighters training council act, 1966 PA 291, MCL 29.374, would have been utilized to allocate the total amount appropriated in part 1 for firefighter training grants.

(b) The amount of the payments approved by the firefighters training council for allocation to each county.

(c) The amount of the payments actually expended or encumbered within each county.

(d) A description of any other payments or expenditures made under the authority of the firefighters training council.

(e) The amount of payments approved for allocations to counties that was not expended or encumbered and lapsed back to the fireworks safety fund.

ONE-TIME APPROPRIATIONS

Sec. 1001. From the funds appropriated in part 1 for Michigan saves, the Michigan public service commission may award a $1,000,000.00 grant to a nonprofit green bank with experience in leveraging energy-efficiency and renewable energy improvements, for the purpose of making such loans more affordable for Michigan families, businesses, and public entities. Grant funds may be used to support a loan loss reserve fund or other comparable financial instrument to further leverage private investment in clean energy improvements.

ARTICLE 10

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of military and veterans affairs for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	9.0	
Full-time equated classified positions	1,052.5	
GROSS APPROPRIATION	**$**	**226,092,500**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		101,800
ADJUSTED GROSS APPROPRIATION		**225,990,700**
Federal revenues:		
Total federal revenues		123,626,100
Special revenue funds:		
Total local revenues		0
Total private revenues		630,000
Total other state restricted revenues		20,313,400
State general fund/general purpose	**$**	**81,421,200**
Sec. 102. MILITARY		
Full-time equated unclassified positions	9.0	
Full-time equated classified positions	371.0	
Unclassified salaries–FTEs	9.0$	1,566,700
Departmentwide		1,792,200
Headquarters and armories–FTEs	86.0	20,871,100
Michigan youth challeNGe academy–FTEs	68.0	9,759,900
Military family relief fund		150,000
Military retirement		658,000
Military training sites and support facilities–FTEs	215.0	41,056,700
National guard operations		298,200
National guard tuition assistance fund–FTEs	2.0	6,516,600
Starbase grant		2,322,000
GROSS APPROPRIATION	**$**	**84,991,400**
Appropriated from:		
Interdepartmental grant revenues:		
IDG – state police		101,800
Federal revenues:		
DOD – DOA – NGB		60,278,600
Federal counternarcotics revenues		100,000
Special revenue funds:		
Private donations		90,000
Billeting fund		1,460,400

		For Fiscal Year Ending Sept. 30, 2021
Military family relief fund		150,000
Rental fees		167,300
State general fund/general purpose	**$**	**22,643,300**
Sec. 103. MICHIGAN VETERANS AFFAIRS AGENCY		
Full-time equated classified positions	50.0	
County veteran service fund		4,000,000
Michigan veterans affairs agency administration—FTEs	44.0	7,458,200
Veterans service grants		3,835,500
Veterans trust fund administration—FTEs	6.0	920,000
Veterans trust fund grants		1,480,000
GROSS APPROPRIATION	**$**	**17,693,700**
Appropriated from:		
Special revenue funds:		
Michigan veterans trust fund		2,400,000
Veterans license plate fund		50,000
State general fund/general purpose	**$**	**15,243,700**
Sec. 104. MICHIGAN VETERANS FACILITY AUTHORITY		
Full-time equated classified positions	631.5	
Chesterfield Township home for veterans—FTEs	115.0	8,590,000
D.J. Jacobetti home for veterans—FTEs	200.0	24,684,700
Grand Rapids home for veterans—FTEs	298.5	29,520,700
Michigan veterans facility authority		634,100
Michigan veteran homes administration—FTEs	18.0	3,013,700
Veterans cemetery		85,200
GROSS APPROPRIATION	**$**	**66,528,400**
Appropriated from:		
Federal revenues:		
DVA - VHA		19,992,900
HHS - HCFA title XVIII, Medicare		1,373,700
HHS - HCFA title XIX, Medicaid		2,257,500
Special revenue funds:		
Private - veterans' home post and posthumous		540,000
Income and assessments		14,301,600
Lease revenue		40,000
State general fund/general purpose	**$**	**28,022,700**
Sec. 105. CAPITAL OUTLAY		
Armory maintenance		1,000,000
Grayling army airfield readiness center		18,905,000
Land and acquisitions		1,000,000
Special maintenance - National Guard		20,000,000
Special maintenance - veterans homes		500,000
GROSS APPROPRIATION	**$**	**41,405,000**
Appropriated from:		
Federal revenues:		
DOD - DOA - NGB		38,905,000
Special revenue funds:		
Michigan National Guard construction fund		1,000,000
State general fund/general purpose	**$**	**1,500,000**
Sec. 106. INFORMATION TECHNOLOGY		
Information technology services and projects		1,991,000
GROSS APPROPRIATION	**$**	**1,991,000**

		For Fiscal Year Ending Sept. 30, 2021
Appropriated from:		
Federal revenues:		
DOD - DOA - NGB		158,100
DVA - VHA		548,000
HHS - HCFA title XVIII, Medicare		12,300
Special revenue funds:		
Income and assessments		744,100
State general fund/general purpose	**$**	**528,500**
Sec. 107. ONE-TIME APPROPRIATIONS		
Grand Rapids home for veterans transition		13,233,000
Veterans benefits eligibility study		250,000
GROSS APPROPRIATION	**$**	**13,483,000**
Appropriated from:		
State general fund/general purpose	**$**	**13,483,000**

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2021 is $101,734,600.00 and state spending from state sources to be paid to local units of government for the fiscal year ending September 30, 2021 is $4,136,500.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS		
County veteran service fund	$	4,000,000
Michigan veterans affairs agency administration		90,000
Military training sites and support facilities		46,500
TOTAL	**$**	**4,136,500**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) “Core services” means that term as defined in section 373 of the management and budget act, 1984 PA 431, MCL 18.1373.

(b) “Department” means the department of military and veterans affairs.

(c) “Director” means the director of the department.

(d) “FTE” means full-time equated.

(e) “HVAC” means heating, ventilation, and air conditioning.

(f) “IDG” means interdepartmental grant.

(g) “Michigan veterans’ facility authority” means the authority created under section 3 of the Michigan veterans’ facility authority act, 2016 PA 560, MCL 36.103.

(h) “MVAA” means the Michigan veterans affairs agency.

(i) “MVH” means the Michigan veteran homes.

(j) “Subcommittees” means the subcommittees of the senate and house appropriations committees with jurisdiction over the budget of the department.

(k) “Support services” means an activity, such as information technology, accounting, human resources, legal, and other support functions that are required to support the ongoing delivery of core services.

(*l*) “USDVA” means the United States Department of Veterans Affairs.

(m) “USDVA-VHA” means the USDVA Veterans Health Administration.

(n) “VSO” means veterans service organization.

(o) “Work project” means that term as defined in section 404 of the management and budget act, 1984 PA 431, MCL 18.1404, and that meets the criteria in section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 204. The department and agencies receiving appropriations in part 1 shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement, and it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference must be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the senate or house or a member's staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 207. For the purposes of implementing section 217 of the management and budget act, 1984 PA 431, MCL 18.1217, the department and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The department and agencies shall submit the report to the senate and house appropriations committees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees, the subcommittees, and the senate and house fiscal agencies.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $8,600,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,100,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $250,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the senate and house appropriations chairs, the senate and house appropriations subcommittees chairs, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $20,359,000.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $9,768,500.00. Total agency appropriations for retiree health care legacy costs are estimated at $10,590,500.00.

Sec. 215. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the subcommittees, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 221. The department shall provide biannual reports to the subcommittees, the senate and house fiscal agencies, and the state budget office, which shall provide the following data:

(a) A list of all major work projects, including a status report of each project.

(b) The department's financial status, featuring a report of budgeted versus actual expenditures by part 1 line item including a year-end projection of budget requirements.

(c) The number of active employees at the close of the reporting period by job classification and departmental branch of service.

Sec. 222. The appropriations in part 1 are for the core services, support services, and work projects of the department, including, but not limited to, the following core services:

(a) Armories and joint force readiness.

(b) National Guard training facilities and air bases.

(c) Michigan youth challeNGe academy.
(d) Military family relief fund.
(e) Starbase grant.
(f) National Guard tuition assistance program.
(g) Michigan veterans affairs agency administration.
(h) Veterans service grants.
(i) Veterans' trust fund administration.
(j) Veterans' trust fund grants.
(k) County veteran service fund.
(*l*) Michigan veterans' facility authority.
(m) Michigan veterans homes.

Sec. 223. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

Sec. 224. Sixty days prior to the public announcement of the intention to sell any department real property, the department shall submit notification of that intent to the subcommittees and the senate and house fiscal agencies.

Sec. 225. The department shall report to the subcommittees tentative plans for the required payment of any court judgment against the department, as soon as those plans are developed. The report must include, but is not limited to, all of the following information:

(a) A listing of all known court judgments that would result in a financial obligation for the department.

(b) The amount of time in which each of those financial obligations must be met.

(c) The proposed budget line items from which a payment for a court judgment of $100,000.00 or more would be made.

(d) The estimated impact of the loss of revenue on the programs funded by the line items from which payments would be made.

Sec. 226. (1) Money privately donated to the department for the Grand Rapids home for veterans, D.J. Jacobetti home for veterans, or Chesterfield Township home for veterans in excess of the appropriation in part 1 is appropriated and may be used for the purpose designated by the private source, if specified.

(2) The department must notify the subcommittees and the house and senate fiscal agencies of the receipt of a donation under this subsection within 14 calendar days of receiving the donation. The notification must include the amount of the donation and the purpose for which the funds will be expended, if known.

MILITARY

Sec. 301. (1) From the funds appropriated in part 1, there is funding to support unclassified employee positions as authorized by section 5 of article XI of the state constitution of 1963.

(2) The department shall report quarterly to the subcommittees and house and senate fiscal agencies a list of the current unclassified positions, which shall include the official titles and responsibilities of each position.

(3) Upon the department being granted a request for an additional unclassified employee position from the civil service commission, or for any substantive changes to the duties of an existing unclassified employee position, the department shall notify the subcommittees and the senate and house fiscal agencies within 15 days.

Sec. 302. (1) From the funds appropriated in part 1 for military operations, effective and efficient executive direction and administrative leadership shall be provided to the department.

(2) The department shall operate and maintain National Guard armories.

(3) The department shall evaluate armories and submit a report biannually, on the status of the armories.

(4) The department shall maintain a system to measure the condition and adequacy of the armories.

(5) The Michigan Army National Guard and Air National Guard shall work to provide a culture that is free of sexual assault, through an environment of prevention, education and training, response capability, victim support, reporting procedures, and appropriate accountability that enhances the safety and well-being of all guard members.

(6) By December 1, the department shall report the following information to the subcommittees, the senate and house fiscal agencies, and the state budget office:

(a) An assessment of the grounds and facilities of each armory to objectively measure and determine the current facility condition and capability to support authorized manpower, unit training, and operations.

(b) Recommendations for the placement of new armories, the relocation or consolidation of existing armories, or a change in the mission of units assigned to armories to ideally position the National Guard in current or projected population centers.

(c) Recommendations for the enhanced use of armories to facilitate family support programs during deployments.

(d) An analysis of the feasibility, potential costs, and benefits of use of armories shared with other local, state, or federal agencies to improve responses to local emergencies as well as the community support provided to armories.

(e) An investment strategy and proposed funding amounts in a prioritized project list to correct the most critical facility shortfalls across the inventory of armories in this state.

Sec. 303. (1) The department shall maintain the Michigan youth challeNGe academy to provide values, skills, education, and self-discipline instruction for at-risk youth as provided under 32 USC 509.

(2) The department shall take steps to recruit candidates to the challeNGe academy from economically disadvantaged areas, including those with low-income and high-unemployment backgrounds.

(3) The department shall partner with the department of health and human services to identify youth who may be eligible for the challeNGe academy from those youth served by department of health and human services programs. These eligible youth shall be given priority for enrollment in the academy.

(4) The department shall maintain the staffing and resources necessary to train and graduate at least 114 students per cohort (228 annually).

(5) The department shall ensure individual academic success as measured by the number of individuals who have received a general equivalency diploma, high school diploma, or high school credit recovery or by the improvement of tests of adult basic education scores, or both.

(6) Any unexpended private donations to support the Michigan youth challeNGe academy at the close of this fiscal year shall not lapse to the general fund but shall be carried forward to the subsequent fiscal year.

Sec. 304. (1) The department shall provide grants for disbursement from the military family relief fund, as provided under the military family relief fund act, 2004 PA 363, MCL 35.1211 to 35.1216, and R 200.5 to R 200.95 of the Michigan Administrative Code.

(2) The department shall provide information on the revenues, expenditures for advertising and assistance grants, and fund balance of the Michigan military family relief fund, biannually.

(3) From the funds appropriated in part 1, the department shall provide sufficient staffing and other resources to provide outreach to the Michigan families of members of the reserve component of the Armed Forces of the United States called into active duty and to support the processing and approval of grant applications for this fiscal year under the Michigan military relief fund and report those applications biannually.

Sec. 305. (1) The department shall provide Army and Air National Guard forces, when directed, for state and local emergencies and in support of national military requirements.

(2) The department shall operate and maintain Army National Guard training facilities, including Fort Custer and Camp Grayling.

(3) The department shall maintain a system that measures the condition and adequacy of air facilities using both quality and functionality criteria.

(4) The department shall operate and maintain Air National Guard air bases, including Selfridge Air National Guard base, Battle Creek Air National Guard base, and Alpena combat readiness training center.

(5) The department shall provide the following information biannually:

(a) The apportioned and assigned strength of the Michigan Army National Guard.

(b) The apportioned and assigned strength of the Michigan Air National Guard.

(c) Recruiting, retention, and attrition data, including measurement against stated performance goals, for the Michigan Army National Guard.

(d) Recruiting, retention, and attrition data, including measurement against stated performance goals, for the Michigan Air National Guard.

Sec. 306. There is created and established under the jurisdiction and control of the department a revolving account to be known as the billeting fund account. All of the fees and other revenues generated from the operation of the chargeable transient quarters program shall be deposited in the billeting fund account. Appropriations will be made from the account for the support of program operations and the maintenance and operations of the chargeable transient quarters program and will not exceed the estimated revenues for the fiscal year in which they are made, together with unexpended balances from prior years. The department shall submit an annual report of operations and expenditures regarding the billeting fund account to the appropriations committees of the senate and house of representatives, the senate and house fiscal agencies, and the state budget office at the end of the fiscal year.

Sec. 307. (1) The department shall maintain a National Guard tuition assistance program under section 3 of the Michigan national guard tuition assistance act, 2014 PA 259, MCL 32.433, for eligible persons as defined in section 2 of the Michigan national guard tuition assistance act, 2014 PA 259, MCL 32.432.

(2) The objective of the National Guard tuition assistance program is to bolster military readiness by increasing recruitment and retention of Michigan Army and Air National Guard service members, to fill federally authorized strength levels for the state, to improve the Michigan Army and Air National Guard's competitive draw from other military enlistment options in the state, to enhance the ability of the Michigan

Army and Air National Guard to compete for members and federal dollars with surrounding states, and to increase the pool of eligible candidates within the Michigan Army and Air National Guard to become commissioned officers.

(3) The department shall make efforts to increase the number of national guard members who have received a credential or are still enrolled in the Michigan National Guard tuition assistance program after their initial term of enlistment with the goal of 55% of program participants, or at the current 4-year college graduation rate in Michigan, whichever is higher. To evaluate the effectiveness of the program, the department shall monitor the number of new recruits and new reenlistments and the percentage of those who become participants in the program to determine whether the percentage of authorized Michigan Army and Air National Guard strength obtained and retained is competitive in comparison with the neighboring army and air national guards from Illinois, Indiana, Ohio, and Wisconsin.

(4) Not later than March 1, the department shall provide a report to the subcommittees on the Michigan National Guard tuition assistance program. The report shall include the number of guard members receiving tuition assistance, where those guard members received education or training under the program, the average amount of financial assistance received, the total funds spent on the program, and, in the opinion of the department, after those expenditures, whether any unmet needs remained. The report shall also include performance data regarding the number of members denied benefits from the program. The report shall include, but is not limited to, all of the following information:

(a) The total number of applications for tuition assistance denied.

(b) A delineated list of the grounds for denial and the number of the total applicable to each reason for denial.

(c) A list of specific actions undertaken to increase the opportunities for expanding qualified educational and training programs.

(d) A list of any educational and training programs removed from eligibility and the rationale for their removal.

(e) An explanation of any identified barriers to the successful utilization of funds appropriated in part 1 for the National Guard tuition assistance fund and applicable proposals for legislative action to address those barriers.

(5) The general fund/general purpose funds appropriated in part 1 for the National Guard tuition assistance fund shall be deposited to the restricted Michigan National Guard tuition assistance fund created in section 4 of the Michigan National Guard tuition assistance act, 2014 PA 259, MCL 32.434. All funds in the restricted Michigan National Guard tuition assistance fund are appropriated and available for expenditure to support the Michigan National Guard tuition assistance program.

Sec. 308. The department shall maintain the starbase program at Air National Guard facilities, as provided under 10 USC 2193b, to improve the knowledge, skills, and interest of students, primarily in the fifth grade, in math, science, and technology. The starbase program is to specifically target minority and at-risk students for participation.

MICHIGAN VETERANS AFFAIRS AGENCY

Sec. 405. (1) The MVAA shall provide a report biannually on the financial status of the Michigan veterans' trust fund, including the number and amount of emergency grants, state operating and administrative expenses, and county administrative expenses.

(2) The Michigan veterans' trust fund board together with the agency shall maintain the staffing and resources necessary to process a minimum of 2,000 applications for veterans' trust fund emergency grants.

(3) The Michigan veterans' trust fund board together with the MVAA shall provide emergency grants for disbursement from the Michigan veterans' trust fund, as provided under the following program authorities:

(a) Sections 37, 38, and 39 of article IX of the state constitution of 1963.

(b) 1946 (1st Ex Sess) PA 9, MCL 35.602 to 35.610.

(c) R 35.1 to R 35.7 of the Michigan Administrative Code.

(d) R 35.621 to R 35.623 of the Michigan Administrative Code.

(4) No later than February 1, the MVAA shall provide a detailed report of the Michigan veterans' trust fund that includes, for the immediately preceding fiscal year, information on grants provided from the emergency grant program, including details concerning the methodology of allocations, the selection of emergency grant program authorized agents, a description of how the emergency grant program is administered in each county, and a detailed breakdown of trust fund expenditures for that year, including the amount distributed to each county for operating costs, administrative costs and emergency grants. The report shall also include the number of approved applications, by category of assistance, and the number of denied applications, by reason of denial. The report shall also provide an update on the department's efforts to reduce program administrative costs and maintain the Michigan veterans' trust fund corpus at or above its original amount of at least $50,000,000.00.

Sec. 406. (1) The MVAA shall provide outreach services to Michigan veterans to advise them on the benefits to which they are entitled, as provided under Executive Reorganization Order No. 2013-2, MCL 32.92. The MVAA shall also do the following:

(a) Develop and operate an outreach program that communicates benefit eligibility information to at least 50% of Michigan's population of veterans, as assessed by annual census estimates, with a goal of reaching 100% and enabling 100% to access benefit information online.

(b) Communicate veteran benefit information pertaining to the Michigan military family relief fund, Michigan veterans' trust fund, and USDVA health, financial, and memorial benefits to which veterans are entitled.

(c) Provide sufficient staffing and other resources to approve requests for military discharge certificates (DD-214) annually.

(d) Continue the process to digitize all medical records, military discharge documents, and burial records that are currently on paper and microfilm.

(e) Provide a report biannually on the MVAA's performance on the performance measures, outcomes, and initiatives developed by the agency in the strategic plan required by section 501 of 2013 PA 9.

(f) Provide a report to the subcommittees, the senate and house fiscal agencies, and the state budget office no later than April 1 providing, to the extent known, data on the estimated number of homeless veterans, by county, in this state.

(g) Provide the percentage of Michigan veterans contacted through its outreach programs, with a goal of 90%, and report that percentage to the subcommittees biannually on the status of outreach.

(2) From the funds appropriated in part 1, the MVAA shall provide for the regional coordination of services, as follows:

(a) The MVAA shall coordinate with veteran benefit counselors throughout a specified region.

(b) The MVAA shall coordinate services with the department of health and human services and the department of corrections.

(c) The MVAA shall coordinate with regional workforce and economic development agencies.

(d) The MVAA shall coordinate activities among local foundations, nonprofit organizations, and community groups to improve accessibility, enrollment, and utilization of the array of health care, education, employment assistance, and quality of life services provided at the local level.

(e) The MVAA may work with MVAA service officers, regional coordinators, county veteran counselors, VSO service officers, and other service providers to incorporate the provision of information relating to mental health care resources into their daily operations to aid veterans in understanding the mental health care support services they may be eligible to receive.

(f) The MVAA shall coordinate with the department of health and human services to identify Medicaid recipients who are veterans and who may be eligible for federal veterans health care benefits or other benefits, to the extent that the identification does not violate applicable confidentiality requirements.

(g) The MVAA shall collaborate with the department of corrections to create and maintain a process by which prisoners can obtain a copy of their DD-214 form or other military discharge documentation if necessary.

(h) The MVAA shall ensure that all MVAA service officers, VSO service officers, and regional coordinators receive appropriate training in processing applications for benefits payable to veterans due to military sexual trauma, post-traumatic stress disorder, depression, anxiety, substance abuse, or other mental health issues.

(3) The MVAA shall provide claims processing services to Michigan veterans in support of benefit claims submitted to the USDVA for the health, financial, and memorial benefits for which they are eligible, and shall do all of the following:

(a) Report the following information biannually:

(*i*) The number of benefit claims, by type, submitted to the USDVA by MVAA.

(*ii*) The number of fully developed claims submitted to the USDVA, with an overall goal of 40% of benefit claims submitted that are considered fully developed by the USDVA.

(b) Maintain the staffing and resources necessary to process a minimum of 500 claims per year.

(4) The MVAA shall maintain staffing and resources necessary to develop and implement a process to ensure that all county counselors receive the training and accreditation necessary to provide quality services to veterans. The MVAA shall report information biannually on the number and percentage of county veterans counselors trained by the MVAA, and the number and percentage who received funding from the MVAA to attend training, with an overall goal of 100% of county veterans counselors trained.

(5) From the funds appropriated in part 1 for MVAA, the MVAA is authorized to expend up to $50,000.00 to hire legal services to represent veterans benefit cases before federal court to maintain accreditation under 38 CFR 14.628(d)(1)(iv).

Sec. 407. (1) The MVAA shall disburse grants to achieve agency goals and performance objectives in partnership with counties, VSOs, and tribal governments. Grants will be disbursed to fund programs and projects that are determined by the agency to meet agency performance objectives and ensure that grantees communicate the availability of emergency grants through the Michigan veterans' trust fund. In disbursing grants, the MVAA shall do all of the following:

(a) Ensure that each grantee is issued performance standards.

(b) Ensure that each grantee uses those funds for veterans advocacy and outreach.

(c) Monitor the performance of each grantee.

(d) Require each grantee to report not less than quarterly on services provided to veterans and account for all grant fund expenditures.

(e) Require that each grantee report not less than quarterly both of the following:

(*i*) The number and type of claims originated and submitted by the grantee to the USDVA.

(*ii*) The number and type of claims originated by an organization other than the grantee and submitted by the grantee to the USDVA.

(f) Promulgate monthly benchmark requirements, based upon contractual obligations, that each grantee must meet and require each grantee to report on achieving the benchmark requirements not less than quarterly to the MVAA, in order to ensure that each grantee meets MVAA veteran service goals.

(g) Assess the accuracy rate of claims reported by grantees and the attendance rate of grantees, based upon contractual obligations.

(h) Ensure that each grantee adheres to the MVAA approved schedule of operations.

(i) Report biannually to the subcommittees and senate and house fiscal agencies on grantee operations monitored under this subsection.

(2) Grants awarded to a VSO by the MVAA shall provide for the following, as developed by the MVAA:

(a) The provision of service to veterans statewide, using a regional service delivery model, with services provided at specified locations and times, including service provided in state correctional facilities.

(b) The payment of an hourly service rate that shall be set annually by MVAA based on funds appropriated in part 1.

(c) A specified number of service hours within each geographic region of this state, with a statewide goal based on both appropriations for the current fiscal year for the grant programs and the hourly service rate under subdivision (b). The statewide goal will include service hours provided to eligible incarcerated veterans within 1 year of their earliest release date.

(d) Use of an MVAA-designated internet-based claims data system.

(3) The MVAA shall report the following information biannually:

(a) A summary of activities supported through the appropriation in part 1 for grants, including the amount of expenditures to date, number of service hours, number of claims for benefits submitted by type of claim, and other information deemed appropriate by the MVAA.

(b) The number and percentage of fully developed claims submitted to the USDVA, and the number and percentage of fully developed claims submitted that are considered fully developed by the USDVA with an overall goal of 40%.

Sec. 409. (1) The department shall enter into an interagency agreement in cooperation with the department of health and human services in order to work with the federal public assistance reporting information system to identify Medicaid recipients who are veterans and who may be eligible for federal veterans' health care benefits or other benefits. The interagency agreement shall include the specific outcome and performance reporting requirements described in this section. The interagency agreement shall require the department to provide all of the following items by January 1 for the current fiscal year to the subcommittees, the senate and house fiscal agencies, and the policy offices:

(a) The number of veterans identified by the department of health and human services through eligibility determinations.

(b) The number of veterans referred to the department.

(c) The number of referrals made by the department of health and human services that were contacted by the department.

(d) The number of referrals made to the department that were eligible for veterans health care benefits or other benefits.

(e) The specific actions and efforts undertaken by the department of health and human services and the department to identify female veterans who are applying for public assistance benefits, but who are eligible for veterans benefits.

(2) By October 1 of the current fiscal year, the department of health and human services shall change the public assistance application form from asking whether the prospective applicant was a veteran to asking whether the applicant had ever served in the military.

(3) This section does not prohibit the department from entering into interagency agreements with any other public department or agency in this state in order to obtain the information detailed in subsection (1).

Sec. 410. The general fund/general purpose funds appropriated in part I for the county veteran service fund shall be deposited to the restricted county veteran service fund created in section 3a of 1953 PA 192, MCL 35.623a. All funds in the restricted county veteran service fund are appropriated and available for expenditure to support county veteran service grants.

Sec. 411. From the funds appropriated in part 1, the MVAA shall conduct an assessment of the need for, feasibility, and annual cost to the state of establishing and maintaining a new veterans' cemetery in the Upper Peninsula and Lower Peninsula of the state. The assessment shall consider the availability of any federal funds available for veterans cemeteries for its determinations. The MVAA shall report the findings of the assessment to each chairperson of the subcommittees, the house and senate fiscal agencies, and the state budget office by not later than September 30.

MICHIGAN VETERANS FACILITY AUTHORITY

Sec. 451. The board of managers and Michigan veterans' facility authority shall exercise certain regulatory and governance authority regarding admission and member affairs at the Grand Rapids, D.J. Jacobetti, and Chesterfield Township homes for veterans. The board of managers shall also work to represent the interest of the veterans' community in both advisory and advocacy roles.

Sec. 452. (1) The MVH and the Michigan veterans' facility authority shall provide compassionate and quality nursing and domiciliary care services at the Grand Rapids, D.J. Jacobetti, and Chesterfield Township homes for veterans so that members can achieve their highest potential of wellness, independence, self-worth, and dignity.

(2) From the funds appropriated in part 1, the department shall provide resources necessary to provide nursing care services to veterans in accordance with federal standards and provide the results of the annual USDVA survey and certification as proof of compliance.

(3) Appropriations in part 1 for a home operated by the MVH and the D.J. Jacobetti and Chesterfield Township homes for veterans shall not be used for any purpose other than for veterans and veterans' families.

(4) Any contractor providing mental health services to the Grand Rapids, D.J. Jacobetti, and Chesterfield Township homes for veterans shall utilize mental health interventions that have been shown to be effective with the conditions they are treating, in accordance with evidence-based best practices supported by the USDVA-VHA, United States Department of Defense, the Substance Abuse and Mental Health Services Administration, the American Psychological Association, and the National Association of Social Workers.

(5) Any contractor providing CENAs to the Grand Rapids home for veterans shall ensure that each CENA has at least 8 hours of training on information provided by the home.

(6) Any contractor providing CENAs to a home operated by the MVH shall ensure that each CENA has at least one 8-hour shift of shadowing at the veterans' home.

(7) Any contractor providing CENAs to a home operated by the MVH shall ensure that each CENA is competent in the basic skills needed to perform his or her assigned duties at the home.

(8) A home operated by the MVH shall provide each CENA at least 12 hours of in-service training once that individual has been assigned to the home.

(9) All complaints of abusive or neglectful care at the Grand Rapids, D.J. Jacobetti, and Chesterfield Township homes for veterans by a resident member, a resident member's family or legal guardian, or staff of the veterans' homes received by a supervisor shall be referred to the director of nursing or his or her designee upon receipt of the complaint. The director of nursing or his or her designee shall report on not less than a monthly basis, except that the board of managers or the Michigan veterans' facility authority may specify a more frequent reporting period to the home administrator, board of managers, Michigan veterans' facility authority, agency, subcommittees, senate and house fiscal agencies, and state budget office the following information:

(a) A description of the process by which resident members and others may file complaints of alleged abuse or neglect at the Grand Rapids, D.J. Jacobetti, and Chesterfield Township homes for veterans.

(b) Summary statistics on the number and general nature of complaints of abuse or neglect.

(c) Summary statistics on the final disposition of complaints of abuse or neglect received.

(10) The MVH shall provide an on-site, board-certified psychiatrist for all resident members with mental health disorders in order to ensure that those resident members receive needed services in a professional and timely manner. The MVH shall provide all members and staff a safe and secure environment.

(11) The MVH shall ensure that they effectively develop, execute, and monitor all comprehensive care plans in accordance with federal regulations and their internal policies, with a goal that a comprehensive care plan is fully developed for all resident members.

(12) The MVH shall implement controls over their food, maintenance supplies, pharmaceuticals, and medical supplies inventories.

(13) The MVH shall establish sufficient controls for calculating resident member maintenance assessments in order to accurately calculate resident member maintenance assessments for each billing cycle. The MVH shall establish sufficient controls to ensure that all past due resident member maintenance assessments are addressed within 30 days.

(14) The MVH shall establish sufficient controls over monetary donations and donated goods.

(15) The MVH shall implement sufficient controls over the handling of resident member funds to ensure the release of funds within 15 calendar days upon the resident member leaving the home and to ensure that a representative of a resident member is provided a full accounting of that resident member's funds within 30 calendar days after the death of that resident member.

(16) The MVH shall post on its website all policies adopted by the board of managers, the Michigan veterans' facility authority, and the veterans' homes related to the administrative operations of the veterans' homes.

(17) The process by which visitors, residents, and employees of the Grand Rapids, D.J. Jacobetti, and Chesterfield Township homes for veterans may register complaints shall be displayed in high-traffic areas throughout the home.

(18) The MVH shall provide copies of each facility's USDVA State Veteran Home quarterly report to the legislature and the state budget office. These quarterly reports shall be posted on the MVH website.

(19) The MVH shall provide to the legislature and the state budget office biannual reports regarding the status of Centers for Medicare and Medicaid certification efforts, including, but not limited to, descriptions of incremental milestones, associated expenditures, and the percentage of plan completed until such time certification has been achieved and reported.

Sec. 453. The department shall ensure that the quality of care for members of the Grand Rapids, D.J. Jacobetti, and Chesterfield Township homes for veterans shall meet or exceed the quality of care for the full spectrum of health care services to meet or exceed the Centers for Medicare and Medicaid Services certification standards. The department shall provide a report biannually to the subcommittees that contains evidence that the quality of care for the full spectrum of health care services has met or exceeded Centers for Medicare and Medicaid Services certification standards.

CAPITAL OUTLAY

Sec. 501. (1) The department shall provide for the acquisition and disposition of National Guard armories, facilities, and lands as provided under sections 368, 382, and 382a of the Michigan military act, 1967 PA 150, MCL 32.768, 32.782, and 32.782a.

(2) The department shall provide a listing of property sales and acquisitions biannually.

Sec. 502. (1) The appropriations in part 1 for special maintenance - National Guard shall be carried forward at the end of the fiscal year consistent with section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

(2) The appropriations for special maintenance - National Guard shall be expended in accordance with the requirements of sections 302 and 305 of this part and shall be expended according to the maintenance priorities of the department to repair and modernize military training sites and support facilities, including armories, which may include projects such as roof, HVAC, or boiler replacement, interior renovations, facility expansion, improvements to parking facilities, and other projects.

(3) The department shall provide a report biannually providing information on the status, projected costs, and projected completion date of current and planned special maintenance projects at the armories and other National Guard facilities funded from capital outlay appropriations made in part 1 and in prior appropriations years.

Sec. 503. (1) The appropriations in part 1 for special maintenance – veterans homes shall be carried forward at the end of the fiscal year consistent with section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

(2) The appropriations for special maintenance – veterans homes shall be expended in accordance with the requirements of section 402 of this part and shall be expended according to the maintenance priorities of the department to repair and modernize the state's veterans' homes, which may include projects such as roof, HVAC, or boiler replacement, interior renovations, facility expansion, improvements to parking facilities, and other projects designed to enhance the quality of life and medical care of members.

(3) The MVH shall provide a report biannually providing information on the status, projected costs, and projected completion date of current and planned special maintenance projects at the Grand Rapids, D.J. Jacobetti, and Chesterfield Township homes for veterans funded from capital outlay appropriations made in part 1 and in prior appropriations years.

Sec. 504. (1) The appropriations in part 1 for armory maintenance shall be carried forward at the end of the fiscal year consistent with section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

(2) The appropriations for armory maintenance shall be expended in accordance with the requirements of sections 302 and 305 of this part and shall be expended according to the maintenance priorities of the department to repair and modernize military training sites and support facilities, including armories.

ONE-TIME APPROPRIATIONS

Sec. 601. The appropriation in part 1 for a veterans benefits eligibility study shall be used for the commission of a study by an institution of higher education that will create, implement, and evaluate a program that will identify Michigan Medicaid beneficiaries who are veterans and support them in exploring their eligibility for USDVA-VHA health care benefits. A report from the study must be delivered to the department and the subcommittees no later than December 1, 2021 and must contain the findings of the study, including data as to the frequency of veteran Medicaid beneficiaries who are eligible, but who are not aware, or have not taken steps to seek USDVA-VHA health care services, and shall include recommendations to the department on effective and efficient strategies that could be used to identify such veterans and facilitate their exploration of eligibility for USDVA-VHA health care benefits.

ARTICLE 11

DEPARTMENT OF NATURAL RESOURCES

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of natural resources for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF NATURAL RESOURCES		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,346.1	
GROSS APPROPRIATION	**$**	**469,594,100**
Total interdepartmental grants and intradepartmental transfers		203,100
ADJUSTED GROSS APPROPRIATIONS		**469,391,000**
Federal revenues:		
Total federal revenues		88,453,700
Special revenue funds:		
Total private revenues		7,439,200
Total other state restricted revenues		322,800,800
State general fund/general purpose	**$**	**50,697,300**
Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	121.1	
Unclassified salaries—FTEs	6.0$	828,600
Accounting service center		1,562,200
Executive direction—FTEs	11.6	2,309,600
Finance and operations—FTEs	105.5	17,279,200
Gifts and pass-through transactions		5,003,600
Legal services—FTEs	4.0	678,900
Natural resources commission		77,100
Property management		4,107,300
GROSS APPROPRIATION	**$**	**31,846,500**
Appropriated from:		
IDG, land acquisition services-to-work orders		203,100
Federal revenues:		
Federal funds		359,200
Special revenue funds:		
Private funds		5,003,600
Deer habitat reserve		162,000
Forest development fund		3,150,800
Forest land user charges		7,700

		For Fiscal Year Ending Sept. 30, 2021
Forest recreation account		54,000
Game and fish protection fund		7,622,700
Land exchange facilitation and management fund		4,549,500
Local public recreation facilities fund		207,500
Marine safety fund		830,200
Michigan natural resources trust fund		1,386,300
Michigan state parks endowment fund		1,419,300
Michigan state waterways fund		861,800
Nongame wildlife fund		13,800
Off-road vehicle safety education fund		700
Off-road vehicle trail improvement fund		213,900
Park improvement fund		1,917,900
Public use and replacement deed fees		29,000
Recreation improvement account		85,800
Snowmobile registration fee revenue		50,100
Snowmobile trail improvement fund		127,400
Sportsmen against hunger fund		500
Turkey permit fees		79,700
Waterfowl fees		3,400
Wildlife resource protection fund		43,200
State general fund/general purpose	**$**	**3,463,400**
Sec. 103. DEPARTMENT INITIATIVES		
Full-time equated classified positions	13.0	
Great Lakes restoration initiative		2,905,300
Invasive species prevention and control—FTEs	13.0	5,087,900
GROSS APPROPRIATION	**$**	**7,993,200**
Appropriated from:		
Federal revenues:		
Federal funds		2,905,300
State general fund/general purpose	**$**	**5,087,900**
Sec. 104. COMMUNICATION AND CUSTOMER SERVICES		
Full-time equated classified positions	137.3	
Marketing and outreach—FTEs	80.8	14,622,900
Michigan historical center—FTEs	56.5	7,105,000
Michigan wildlife council campaign management		80,000
Michigan wildlife council media		936,000
Michigan wildlife council messaging and implementation		448,000
Michigan wildlife council research		136,000
GROSS APPROPRIATION	**$**	**23,327,900**
Appropriated from:		
Federal revenues:		
Federal funds		2,423,000
State park improvement, federal		320,000
Special revenue funds:		
Forest development fund		139,200
Forest recreation account		17,400
Game and fish protection fund		8,603,700
Land exchange facilitation and management fund		49,100
Marine safety fund		37,300
Michigan historical center operations fund		1,217,000
Michigan state parks endowment fund		94,600
Michigan state waterways fund		156,600

		For Fiscal Year Ending Sept. 30, 2021
Nongame wildlife fund		11,000
Off-road vehicle trail improvement fund		40,600
Park improvement fund		2,988,000
Recreation passport fees		53,200
Snowmobile registration fee revenue		20,300
Snowmobile trail improvement fund		48,200
Sportsmen against hunger fund		250,000
Wildlife management public education fund		1,600,000
Youth hunting and fishing education and outreach fund		100,100
State general fund/general purpose	**$**	**5,158,600**
Sec. 105. WILDLIFE MANAGEMENT		
Full-time equated classified positions	230.5	
Natural resources heritage—FTEs	9.0	643,100
Wildlife management—FTEs	221.5	46,192,100
GROSS APPROPRIATION	**$**	**46,835,200**
Appropriated from:		
Federal revenues:		
Federal funds		25,921,600
Special revenue funds:		
Private funds		315,700
Cervidae licensing and inspection fees		85,400
Deer habitat reserve		1,775,000
Forest development fund		277,600
Game and fish protection fund		12,380,500
Nongame wildlife fund		435,600
Turkey permit fees		1,052,600
Waterfowl fees		114,100
State general fund/general purpose	**$**	**4,477,100**
Sec. 106. FISHERIES MANAGEMENT		
Full-time equated classified positions	223.5	
Aquatic resource mitigation—FTEs	2.0	634,100
Fish production—FTEs	63.0	10,582,900
Fisheries resource management—FTEs	158.5	21,829,100
GROSS APPROPRIATION	**$**	**33,046,100**
Appropriated from:		
Federal revenues:		
Federal funds		11,711,100
Special revenue funds:		
Private funds		136,700
Fisheries settlement		634,000
Game and fish protection fund		20,020,200
Invasive species fund		100
State general fund/general purpose	**$**	**544,000**
Sec. 107. LAW ENFORCEMENT		
Full-time equated classified positions	293.0	
General law enforcement—FTEs	293.0	45,732,800
GROSS APPROPRIATION	**$**	**45,732,800**
Appropriated from:		
Federal revenues:		
Federal funds		6,784,300
Special revenue funds:		
Cervidae licensing and inspection fees		53,400

		For Fiscal Year Ending Sept. 30, 2021
Forest development fund		45,400
Forest recreation account		72,800
Game and fish protection fund		20,572,600
Marine safety fund		1,352,900
Michigan state parks endowment fund		71,400
Michigan state waterways fund		21,700
Off-road vehicle safety education fund		162,800
Off-road vehicle trail improvement fund		2,007,700
Park improvement fund		72,800
Snowmobile registration fee revenue		725,200
Wildlife resource protection fund		1,111,900
State general fund/general purpose	**$**	**12,677,900**
Sec. 108. PARKS AND RECREATION DIVISION		
Full-time equated classified positions	971.2	
Forest recreation and trails—FTEs	62.7	7,395,700
MacMullan conference center—FTEs	15.0	1,210,000
Michigan conservation corps		934,400
Recreational boating—FTEs	175.4	21,018,500
State parks—FTEs	718.1	78,285,000
State parks improvement revenue bonds - debt service		1,201,300
GROSS APPROPRIATION	**$**	**110,044,900**
Appropriated from:		
Federal revenues:		
Federal funds		141,400
Michigan state waterways fund, federal		1,683,700
Special revenue funds:		
Private funds		428,300
Forest recreation account		3,145,900
MacMullan conference center account		1,210,000
Michigan state parks endowment fund		11,398,900
Michigan state waterways fund		19,338,000
Off-road vehicle safety education fund		7,500
Off-road vehicle trail improvement fund		1,535,000
Park improvement fund		63,249,700
Park improvement fund, Belle Isle subaccount		1,202,100
Pure Michigan trails fund		100
Recreation improvement account		504,500
Recreation passport fees		220,300
Snowmobile registration fee revenue		16,300
Snowmobile trail improvement fund		1,682,900
State general fund/general purpose	**$**	**4,280,300**
Sec. 109. MACKINAC ISLAND STATE PARK COMMISSION		
Full-time equated classified positions	17.0	
Historical facilities system—FTEs	13.0	1,867,500
Mackinac Island State Park operations—FTEs	4.0	338,500
GROSS APPROPRIATION	**$**	**2,206,000**
Appropriated from:		
Special revenue funds:		
Mackinac Island State Park fund		1,658,600
Mackinac Island State Park operation fund		132,600
State general fund/general purpose	**$**	**414,800**

		For Fiscal Year Ending Sept. 30, 2021
Sec. 110. FOREST RESOURCES DIVISION		
Full-time equated classified positions	339.5	
Adopt-a-forest program		25,000
Cooperative resource programs—FTEs	11.0	1,613,500
Forest fire equipment		931,500
Forest management and timber market development—FTEs	185.0	43,838,400
Forest management initiatives—FTEs	8.5	911,500
Minerals management—FTEs	20.0	2,991,500
Wildfire protection—FTEs	115.0	15,122,300
GROSS APPROPRIATION	**$**	**65,433,700**
Appropriated from:		
Federal funds		3,433,600
Federal national forest timber fund		9,073,400
Private funds		1,054,900
Commercial forest fund		25,600
Fire equipment fund		668,700
Forest development fund		40,269,700
Forest land user charges		236,600
Game and fish protection fund		985,200
Michigan state parks endowment fund		2,813,100
Michigan state waterways fund		53,500
State general fund/general purpose	**$**	**6,819,400**
Sec. 111. GRANTS		
Dam management grant program		350,000
Deer habitat improvement partnership initiative		445,800
Federal - clean vessel act grants		400,000
Federal - forest stewardship grants		2,000,000
Federal - land and water conservation fund payments		6,000,000
Federal - rural community fire protection		400,000
Federal - urban forestry grants		900,000
Fisheries habitat improvement grants		1,250,000
Grants to communities - federal oil, gas, and timber payments		3,450,000
Grants to counties - marine safety		3,074,700
Local marine patrol grants		1,750,000
National recreational trails		3,904,700
Nonmotorized trail development and maintenance grants		200,000
Off-road vehicle safety training grants		60,000
Off-road vehicle trail improvement grants		4,657,700
Recreation improvement fund grants		917,000
Recreation passport local grants		2,000,000
Snowmobile law enforcement grants		380,100
Snowmobile local grants program		8,090,400
Trail easements		700,000
Wildlife habitat improvement grants		1,503,000
GROSS APPROPRIATION	**$**	**42,433,400**
Appropriated from:		
Federal revenues:		
Federal funds		18,622,100
Private funds		100,000
Deer habitat reserve		200,000
Game and fish protection fund		2,753,000
Local public recreation facilities fund		2,000,000

		For Fiscal Year Ending Sept. 30, 2021
Marine safety fund		1,407,300
Off-road vehicle safety education fund		60,000
Off-road vehicle trail improvement fund		4,657,700
Permanent snowmobile trail easement fund		700,000
Recreation improvement account		917,000
Snowmobile registration fee revenue		380,100
Snowmobile trail improvement fund		8,090,400
State general fund/general purpose	**$**	**2,545,800**
Sec. 112. INFORMATION TECHNOLOGY		
Information technology services and projects		10,694,400
GROSS APPROPRIATION	**$**	**10,694,400**
Appropriated from:		
Special revenue funds:		
Commercial forest fund		2,100
Deer habitat reserve		61,600
Forest development fund		1,694,500
Forest land user charges		23,900
Forest recreation account		42,000
Game and fish protection fund		3,865,400
Land exchange facilitation and management fund		30,600
Marine safety fund		163,600
Michigan natural resources trust fund		22,300
Michigan state parks endowment fund		1,367,400
Michigan state waterways fund		493,700
Nongame wildlife fund		30,500
Off-road vehicle safety education fund		10,400
Off-road vehicle trail improvement fund		21,800
Park improvement fund		1,419,700
Pure Michigan trails fund		100
Recreation improvement account		48,900
Snowmobile registration fee revenue		11,600
Snowmobile trail improvement fund		74,400
Sportsmen against hunger fund		600
Turkey permit fees		33,800
Waterfowl fees		3,300
Wildlife resource protection fund		42,100
Youth hunting and fishing education and outreach fund		2,000
State general fund/general purpose	**$**	**1,228,100**
Sec. 113. CAPITAL OUTLAY (1) RECREATIONAL LANDS AND INFRASTRUCTURE		
Fish hatchery infrastructure investment		2,500,000
Forest development infrastructure		2,500,000
Mass timber facility Newberry customer service center		5,000,000
State parks repair and maintenance		19,025,000
Wetlands restoration, enhancement and acquisition		1,000,000
GROSS APPROPRIATION	**$**	**30,025,000**
Appropriated from:		
Special revenue funds:		
Forest development fund		7,500,000
Game and fish protection fund		2,500,000
Michigan state parks endowment fund		7,025,000
Recreation passport fees		10,500,000

		For Fiscal Year Ending Sept. 30, 2021
Waterfowl hunt stamp		1,000,000
State general fund/general purpose	**$**	**1,500,000**
Sec. 113. CAPITAL OUTLAY (2) WATERWAYS BOATING PROGRAM		
Local boating infrastructure maintenance and improvements		3,472,500
State boating infrastructure maintenance		8,102,500
GROSS APPROPRIATION	**$**	**11,575,000**
Appropriated from:		
Federal revenues:		
Federal funds		875,000
Michigan state waterways fund, federal		200,000
Special revenue funds:		
Michigan state waterways fund		10,500,000
State general fund/general purpose	**$**	**0**
Sec. 114. ONE-TIME BASIS ONLY APPROPRIATIONS		
Forest fire equipment		1,000,000
Forestry investment		500,000
Milliken Visitors Center		2,500,000
Shooting range development, enhancement, and restoration		4,400,000
GROSS APPROPRIATION	**$**	**8,400,000**
Appropriated from:		
Federal revenues:		
Federal funds		4,000,000
Special revenue funds:		
Private funds		400,000
Forest development fund		1,500,000
State general fund/general purpose	**$**	**2,500,000**

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for the fiscal year ending September 30, 2021 is $373,498,100.00 and state spending from state resources to be paid to local units of government for the fiscal year ending September 30, 2021 is $10,409,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF NATURAL RESOURCES		
Dam management grants	$	175,000
Fisheries habitat improvement grants		125,000
Grants to counties – marine safety		1,407,300
Local marine patrol grants		1,750,000
Nonmotorized trail development and maintenance grants		100,000
Off-road vehicle safety training grants		60,000
Off-road vehicle trail improvement grants		697,400
Recreation improvement fund grants	$	91,700
Recreation passport local grants	$	2,000,000
Snowmobile law enforcement grants		380,100
Wildlife habitat improvement grants		150,300
Local boating infrastructure maintenance and improvements		3,472,500
TOTAL	**$**	**10,409,300**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "Department" means the department of natural resources.

(b) "Director" means the director of the department.

(c) "FTE" means full-time equated.

(d) "IDG" means interdepartmental grant.

Sec. 204. The department shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the senate or house or his or her staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 207. The department shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by the department to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 210. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for each department:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $50,470,100.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $24,216,200.00. Total agency appropriations for retiree health care legacy costs are estimated at $26,253,900.00.

Sec. 215. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the senate and house subcommittees on natural resources, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 221. Appropriations of state restricted game and fish protection funds have been made in the following amounts to the following departments and agencies:

Legislative auditor general		34,300
Attorney general		659,300
Department of technology, management, and budget	$	586,600
Department of treasury	$	3,009,900

Sec. 222. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan conservation and recreation legacy fund, $6,000,000.00 for the fiscal year ending September 30, 2021.

Sec. 223. The department may contract with or provide grants to local units of government, institutions of higher education, or nonprofit organizations to support activities authorized by appropriations in part 1. As used in this section, contracts and grants include, but are not limited to, contracts and grants for research, wildlife and fisheries management, forest management, invasive species monitoring and control, and natural resource-related programs.

DEPARTMENT INITIATIVES

Sec. 251. From the amounts appropriated in part 1 for invasive species prevention and control, the department shall allocate not less than $3,600,000.00 for grants for the prevention, detection, eradication, and control of invasive species.

DEPARTMENT SUPPORT SERVICES

Sec. 302. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2021, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

Sec. 303. As appropriated in part 1, the department may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2165. The fees shall be set by the director at a rate that allows the department to recover its costs for providing these services.

COMMUNICATION AND CUSTOMER SERVICES

Sec. 408. By October 21, the department shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the natural resources commission in the fiscal year ending September 30, 2020. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

Sec. 409. The department shall provide a report on the current and planned future use of the Portage Restaurant at Presque Isle State Harbor in Presque Isle County. The report must include the following:

(a) Loss of rental income since building lease expired.

(b) Maintenance, renovations, and repair expenses since January 2019, including, but not limited to:

(*i*) Heat.

(*ii*) Electric.

(*iii*) Interior.

(*iv*) Exterior.

(*v*) Insurance.

(c) Responses to requests for proposal put out since January 2019.

(d) Responses to requests for information put out since January 2019.

(e) Copy of contract provided to potential tenants.

Sec. 410. Not later than November 1, 2020, the department shall issue a comprehensive report to members of the legislature on all lands acquired, or in the process of being acquired since January 1, 2019. This includes the detailed planned uses of the lands and shall include incorporating provisions in Public Act 288 of 2016 and Public Act 240 of 2018.

WILDLIFE DIVISION

Sec. 506. The United States Department of Agriculture, Wildlife Services, is encouraged to harvest all deer during targeted removal required under the enhanced wildlife biosecurity program.

Sec. 507. (1) With the authority vested in section 43521 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43521, the department may discount the price of antlerless deer licenses to $5.00 for deer management units 452 and 487 to achieve a harvest or management objective for that species.

(2) From the funds appropriated in part 1 for wildlife management, up to $505,000.00 from the general fund shall be credited to the game and fish protection account to supplant lost revenue that would otherwise be collected from full-price antlerless deer licenses sold for deer management units 452 and 487 pursuant to the fees set in section 43527a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43527a, if not for the discount in subsection (1). The state budget director shall authorize the expenditure of these funds only upon confirmation of the license discount under subsection (1).

(3) The department may terminate the discount in subsection (1) once the lost revenue from that discount reaches $505,000.00.

FISHERIES DIVISION

Sec. 601. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than $758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

(2) The fisheries division in the department shall develop priority and cost estimates for all projects recommended for grants under subsection (1).

Sec. 602. As a condition of expenditure of fisheries management appropriations under part 1, the department of natural resources shall not impede the certification process for water control structures on Michigan waterways. The department of natural resources shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

(a) The department of environmental quality as a condition for issuance of a certification under section 401 of the federal water pollution control act, 33 USC 1341.

(b) The Federal Energy Regulatory Commission as a condition of licensing under the federal power act, 16 USC 791a to 825r.

Sec. 603. The department shall produce an annual report detailing the performance of its fish hatcheries by March 31.

FOREST RESOURCES DIVISION

Sec. 802. From the funds appropriated in part 1, the department shall provide quarterly reports on the number of acres of state forestland marked or treated for timber harvest to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues. The department shall complete and deliver these reports by 45 days after the end of the fiscal quarter.

Sec. 803. In addition to the money appropriated in part 1, the department may receive and expend money from federal sources to provide response to wildfires as required by a compact with the federal government. If additional expenditure authorization is required, the department shall notify the state budget office that expenditure under this section is required. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies by November 1 of the expenditures under this section during the fiscal year ending September 30, 2020.

Sec. 807. (1) In addition to the funds appropriated in part 1, there is appropriated from the disaster and emergency contingency fund up to $800,000.00 to cover department costs related to any disaster as defined in section 2 of the emergency management act, 1976 PA 390, MCL 30.402.

(2) Funds appropriated under subsection (1) shall not be expended unless the state budget director recommends the expenditure and the department notifies the house and senate committees on appropriations. By December 1 each year, the department shall provide a report to the senate and house fiscal agencies and the state budget office on the use of the disaster and emergency contingency fund during the prior fiscal year.

(3) If Federal Emergency Management Agency (FEMA) reimbursement is approved for costs paid from the disaster and emergency contingency fund, the federal revenue shall be deposited into the disaster and emergency contingency fund.

(4) Unexpended and unencumbered funds remaining in the disaster and emergency contingency fund at the close of the fiscal year shall not lapse to the general fund and shall be carried forward and be available for expenditures in subsequent fiscal years.

LAW ENFORCEMENT

Sec. 901. The appropriation in part 1 for snowmobile law enforcement grants shall be used by the department to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82161, including rules promulgated under that part and ordinances enacted pursuant to that part. The department shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee subaccount created under section 82111 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82111. Counties shall provide semiannual reports to the department on the use of grant money received under this section.

Sec. 902. The department shall provide a report on the marine safety grant program to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies by December 1. The report shall include the following information for the preceding year: the total amount of revenue received for watercraft registrations, the amount deposited into the marine safety fund, and the expenditures made from the marine safety fund, including the amounts expended for department administration, other state agencies, the law enforcement division, and grants to counties. The report shall also include the distribution methodology used by the department to distribute the marine safety grants and a list of the grants and the amounts awarded by county.

GRANTS

Sec. 1001. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2020.

Sec. 1002. From the funds appropriated in part 1 for deer habitat improvement partnership initiative, $145,800.00 shall be made available for grants through the northern lower peninsula deer private land assistance network.

Sec. 1003. From the funds appropriated in part 1 for local marine patrol grants, $1,750,000.00 is appropriated as grants to local sheriffs to enforce no wake zones in an effort to mitigate high water impacts on local infrastructure. Individual grant amounts shall not be more than $100,000.00.

CAPITAL OUTLAY

Sec. 1103. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

ARTICLE 12

DEPARTMENT OF STATE POLICE

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of state police for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF STATE POLICE		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	3.0	
Full-time equated classified positions	3,596.0	
GROSS APPROPRIATION	**$**	**738,085,500**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		24,649,600
ADJUSTED GROSS APPROPRIATIONS	**$**	**713,435,900**
Federal revenues:		
Total federal revenues		124,103,800
Special revenue funds:		
Total local revenues		4,841,200
Total private revenues		35,000
Total other state restricted revenues		145,079,300
State general fund/general purpose	**$**	**439,376,600**
Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated unclassified positions	3.0	
Full-time equated classified positions	81.0	
Unclassified salaries—FTEs	3.0$	623,900
Accounting service center		1,516,600
Department services—FTEs	18.0	4,667,200
Departmentwide		43,588,900
Executive direction—FTEs	26.0	4,424,800
Mobile office and system support—FTEs	37.0	4,980,700
GROSS APPROPRIATION	**$**	**59,802,100**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of corrections, contract		26,000
IDG from department of state		1,400
IDG from department of transportation, state trunkline fund		3,900
IDG from department of treasury, casino gaming fees		116,200
IDG, training academy charges		179,500
Intradepartmental transfers		38,200
Federal revenues:		
Coronavirus relief fund		85,200
Total other federal revenues		273,300
Special revenue funds:		
Total local revenues		1,200
Michigan merit award trust fund		18,100
Total other state restricted revenues		4,740,100
State general fund/general purpose	**$**	**54,319,000**

		For Fiscal Year Ending Sept. 30, 2021
Sec. 103. LAW ENFORCEMENT SERVICES		
Full-time equated classified positions	591.0	
Biometrics and identification—FTEs	58.0$	9,751,500
Criminal justice information center—FTEs	152.0	21,914,400
Forensic science—FTEs	279.0	47,740,200
Grants and community services—FTEs	50.0	21,105,500
Office of school safety—FTEs	3.0	511,200
State 9-1-1 administration—FTEs	5.0	1,117,300
Training—FTEs	44.0	8,851,900
GROSS APPROPRIATION	**$**	**110,992,000**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of corrections, contract		318,900
IDG from department of state		384,200
IDG from department of transportation, state trunkline fund		739,500
IDG, training academy charges		2,434,600
Intradepartmental transfers		750,000
Federal revenues:		
Coronavirus relief fund		383,100
Total other federal revenues		15,838,700
Special revenue funds:		
Total local revenues		919,200
Total private revenues		20,000
Total other state restricted revenues		39,385,100
State general fund/general purpose	**$**	**49,818,700**
Sec. 104. MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS		
Full-time equated classified positions	18.0	
Public safety officers benefit program—FTE	1.0$	302,800
Standards and training/justice training grants—FTEs	17.0	8,536,900
Training only to local units		654,500
GROSS APPROPRIATION	**$**	**9,494,200**
Appropriated from:		
Federal revenues:		
Total federal revenues		250,000
Special revenue funds:		
Total other state restricted revenues		8,624,900
State general fund/general purpose	**$**	**619,300**
Sec. 105. FIELD SERVICES		
Full-time equated classified positions	2,304.0	
Investigative services—FTEs	151.5$	33,475,600
Post operations—FTEs	2,122.5	335,222,900
Secure cities partnership—FTEs	30.0	7,879,700
GROSS APPROPRIATION	**$**	**376,578,200**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of treasury, casino gaming fees		5,197,000
Intradepartmental transfers		797,900
Federal revenues:		
Coronavirus relief fund		44,329,600

		For Fiscal Year Ending Sept. 30, 2021
Total other federal revenues		6,755,300
Special revenue funds:		
Total local revenues		1,200,000
Michigan merit award trust fund		830,200
Total other state restricted revenues		50,438,700
State general fund/general purpose	**$**	**267,029,500**
Sec. 106. SPECIALIZED SERVICES		
Full-time equated classified positions	602.0	
Commercial vehicle enforcement—FTEs	211.0$	31,400,200
Emergency management and homeland security—FTEs	64.0	16,126,500
Hazardous materials programs—FTEs	25.0	23,873,900
Highway safety planning—FTEs	26.0	18,193,800
Intelligence operations—FTEs	200.0	27,640,900
Secondary road patrol program—FTE	1.0	13,074,300
Special operations—FTEs	75.0	14,737,900
GROSS APPROPRIATION	**$**	**145,047,500**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of transportation, state trunkline fund		11,168,900
IDG from department of technology, management, and budget		3,100
IDG from department of treasury, public safety answer point training 911 fund		100,000
Intradepartmental transfers		1,998,300
Federal revenues:		
Coronavirus relief fund		702,100
Total other federal revenues		54,526,100
Special revenue funds:		
Total local revenues		1,784,300
Total private revenues		15,000
Total other state restricted revenues		28,876,200
State general fund/general purpose	**$**	**45,873,500**
Sec. 107. INFORMATION TECHNOLOGY		
Information technology services and projects	$	28,462,400
GROSS APPROPRIATION	**$**	**28,462,400**
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of state		3,800
IDG from department of transportation, state trunkline fund		258,400
IDG from department of treasury, casino gaming fees		96,800
IDG, training academy charges		12,200
Intradepartmental transfers		20,800
Federal revenues:		
Total federal revenues		960,400
Special revenue funds:		
Total local revenues		936,500
Michigan merit award trust fund		6,100
Total other state restricted revenues		12,159,900
State general fund/general purpose	**$**	**14,007,500**
Sec. 108. ONE-TIME APPROPRIATIONS		
Michigan joint task force on jail and pretrial incarceration	$	4,200,000
Trooper school		3,509,100
GROSS APPROPRIATION	**$**	**7,709,100**
Appropriated from:		
State general fund/general purpose	**$**	**7,709,100**

PART 2
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $584,455,900.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $15,899,900.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE POLICE		
Secondary road patrol program	$	12,963,600
Standards and training/justice training grants		2,281,800
Training only to local units		654,500
TOTAL	**$**	**15,899,900**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "CJIS" means Criminal Justice Information Systems.

(b) "Core service" means that term as defined in section 373 of the management and budget act, 1984 PA 431, MCL 18.1373.

(c) "Department" means the department of state police.

(d) "Director" means the director of the department.

(e) "DNA" means deoxyribonucleic acid.

(f) "DTMB" means the department of technology, management, and budget.

(g) "FTE" means full-time equated.

(h) "IDG" means interdepartmental grant.

(i) "MCOLES" means the Michigan commission on law enforcement standards created in section 3 of the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.603.

(j) "Subcommittees" means the subcommittees of the senate and house standing committees on appropriations with jurisdiction over the budget for the department.

(k) "Support service" means an activity required to support the ongoing delivery of core services.

Sec. 204. The department and agencies receiving appropriations in part 1 shall use the internet to fulfill the reporting requirements of this part. This requirement must include transmission of reports via electronic mail to the recipients identified for each reporting requirement and it must include placement of reports on an internet site.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The department shall not take disciplinary action against an employee of the department or a departmental agency in the state classified civil service because the employee communicates with a member of the legislature or a member's staff, unless the communication is prohibited by law and the department or departmental agency taking disciplinary action is exercising its authority as provided by law.

Sec. 207. The department and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees, the subcommittees, and the senate and house fiscal agencies.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $2,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $4,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the DTMB to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the subcommittees, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2020 and September 30, 2021.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are estimated at $134,845,000.00. From this amount, total department appropriations for pension-related legacy costs are estimated at $72,052,800.00. Total department appropriations for retiree health care legacy costs are estimated at $62,792,200.00.

Sec. 215. To the extent permissible under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each chamber, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that was enacted and took effect during the prior calendar year to the senate and house appropriations committees, the subcommittees, the joint committees on administrative rules, and the senate and house fiscal agencies.

Sec. 221. Based on the availability of federal funding and demonstrated need, as indicated by applications submitted to the state court administrative office, the department shall provide $1,500,000.00 in Byrne justice assistance grant program funding to the judiciary by interdepartmental grant.

Sec. 222. The department shall provide biannual reports to the subcommittees, the senate and house fiscal agencies, and the state budget office that provide the following data:

(a) A list of major work projects, including the status of each project.

(b) The department's financial status, featuring a report of budgeted versus actual expenditures by part 1 line item including a year-end projection of budget requirements. If projected department budget requirements exceed the allocated budget, the report shall include a plan to reduce overall expenses while still satisfying specified service level requirements.

(c) A report on the performance metrics cited or information required to be reported in this part, reasons for nonachievement of metric targets, and proposed corrective actions.

Sec. 223. The appropriations in part 1 are for the core services, support services, and work projects of the department, including, but not limited to, the following core services:

(a) State security operations.

(b) Training.

(c) MCOLES.

(d) CJIS.

(e) Forensic analysis and biometric identification.

(f) Post operations and investigative services.

(g) Special operations.

(h) Intelligence operations.

(i) Commercial vehicle regulation and enforcement.

(j) Emergency management and homeland security.

(k) Highway safety planning.

(*l*) Secondary road patrol program.

Sec. 224. The department shall notify the subcommittees, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies not less than 90 days before recommending to close or consolidate any state police post. The notification shall include a local and state impact study of the proposed post closure or consolidation.

Sec. 225. At least 90 days before beginning any effort to privatize, the department shall submit a complete project plan to the subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the subcommittees and the senate and house fiscal agencies within 30 months.

Sec. 226. (1) When the department provides contractual services to a local unit of government, the department shall be reimbursed for all costs incurred in providing the services, including, but not limited to, retirement and overtime costs.

(2) The department shall define service cost models for those services requiring reimbursement.

(3) Contractual services provided to an entity other than a local unit of government may be provided by department personnel, but only on an overtime basis outside the normal work schedule of the personnel.

(4) This section does not apply to services provided to state agencies.

(5) Revenues received for contractual or reimbursed services in excess of the appropriation in part 1 are appropriated and may be received and expended by the department for the purposes for which funds are received.

(6) If additional authorization is approved in the statewide integrated governmental management application (SIGMA) by the state budget office under this section, the department shall notify the subcommittees and the senate and house fiscal agencies within 10 days after the approval. The notification shall include the amount and funding source of the additional authorization, the date of its approval, and the projected use of funds to be expended.

Sec. 227. The department shall serve as an active liaison between the DTMB and state, local, regional, and federal public safety agencies on matters pertaining to the Michigan public safety communications system and shall report user issues to the DTMB.

Sec. 228. The department may establish and collect fees for publications, videos, conferences, workshops, and related materials. Collected fees shall be used to offset expenditures for costs of the publications, videos, workshops, conferences, and related materials. The department shall not collect fees under this section that exceed the cost of the expenditures.

Sec. 229. (1) The department may accept monetary and nonmonetary gifts, bequests, donations, contributions, or grants from any private or public source to support, in whole or in part, a departmental function or program. The department shall expend or use such gifts, bequests, donations, contributions, or grants for the purposes designated by the private or public source, if the purpose is specified.

(2) Revenue collected by the department under this section that is unexpended and unencumbered shall not lapse to the general fund but shall be carried forward to the subsequent fiscal year.

Sec. 230. (1) Federal revenues authorized by and available from the federal government in excess of the appropriations in part 1 are appropriated and may be received and expended by the department for purposes authorized under state law and subject to federal requirements. The total amount of federal revenues that may be received and expended under this section and section 704(3) must not exceed $45,000,000.00.

(2) The department shall notify the subcommittees and the senate and house fiscal agencies before expending federal revenues received and appropriated under subsection (1).

(3) If additional authorization is approved in the statewide integrated governmental management application (SIGMA) by the state budget office under this section, the department shall notify the subcommittees and the senate and house fiscal agencies within 10 days after the approval. The notification shall include the amount and funding source of the additional authorization, the date of its approval, and the projected use of funds to be expended.

Sec. 231. It is the intent of the legislature that the department shall take all steps necessary to protect the data and privacy of citizens who are not the focus of a departmental investigation and to protect personal information from unauthorized access or misuse. This includes, but is not limited to, requiring vendors or service providers to protect data shared with them, ensuring that when personal data is collected, but no longer utilized by the department, that reasonable steps be taken to securely destroy records containing personal information when it is to be discarded so that the information is rendered indecipherable and is not sold for marketing or other purposes. In addition, the department shall provide written notification to any data subject whose sensitive personal information is accessed or acquired by an unauthorized person.

Sec. 232. A law enforcement officer or a motor carrier officer funded under part 1 shall not be required to issue a predetermined or specified number of citations for violations of the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or of local ordinances substantially corresponding to provisions of the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, including parking or standing violations. A law enforcement officer's or motor carrier officer's performance evaluation system shall not require a predetermined or specified number of citations to be issued.

Sec. 233. The department shall report to the subcommittees and the senate and house fiscal agencies on tentative plans for the required payment of any court judgment against the department, as soon as those plans are developed. The report must include, but is not limited to, all of the following information:

(a) A listing of all known court judgments that would result in a financial obligation for the department.

(b) The amount of time in which each of those financial obligations must be met.

(c) The proposed budget line items from which a payment for a court judgment of $100,000.00 or more would be made.

(d) The estimated impact of the loss of revenue on the programs funded by any line items from which payments would be made.

Sec. 234. Any coronavirus relief funds appropriated in part 1 for which expenditures have not been incurred as of December 30, 2020, are unappropriated and immediately reappropriated for deposit into the unemployment compensation fund established under section 26 of the Michigan unemployment security act, 136 (Ex Sess) PA 1, MCL 421.26, to support costs incurred from March 1, 2020 through December 30, 2020, due to the COVID-19 public health emergency.

LAW ENFORCEMENT SERVICES

Sec. 401. (1) The department shall develop and deliver professional, innovative, and quality training that supports the enforcement and public safety efforts of the criminal justice community.

(2) The department shall provide performance data, as provided under section 222, for days of training being conducted by the academy, with an annual goal of at least 80%.

(3) The department shall submit a report to the subcommittees and the senate and house fiscal agencies within 60 days of the conclusion of any trooper, motor carrier, or state properties security recruit school. The report shall include the following:

(a) The number of veterans and the number of MCOLES-certified police officers who were admitted to and the number who graduated from the recruit school.

(b) The total number of recruits who were admitted to the school, the number of recruits who graduated from the school, and the location at which each of these recruits is assigned.

(4) The department shall distribute and review course evaluations to ensure that quality training is provided.

Sec. 402. (1) In accordance with applicable state and federal laws and regulations, the department shall maintain and ensure compliance with CJIS databases and applications in the support of public safety and law enforcement communities.

(2) The department shall improve the accuracy, timeliness, and completeness of criminal history information by conducting a minimum of 30 outreach activities targeted to criminal justice agencies. The department shall report the number of these outreach activities conducted, as provided under section 222.

(3) The department shall provide for the compilation of crime statistics consistent with the uniform crime reporting (UCR) program and the national incident-based report system (NIBRS).

(4) The department shall provide for the compilation and evaluation of traffic crash reports and the maintenance of the state accident data collection system.

(5) The department shall make individual traffic crash reports available for a fee of $10.00 per incident. The department may also sell an extract of electronic traffic crash data for a fee of $0.25 per incident, provided that the name, address, and any other personal identifying information have been excluded.

(6) In accordance with applicable state and federal laws and regulations, the department shall provide for the maintenance and dissemination of criminal history records and juvenile records, including to the extent necessary to exchange criminal history records information with the Federal Bureau of Investigation and other states through the interstate identification index, the National Crime Information Center, and other federal CJIS databases and indices.

(7) In accordance with applicable state and federal laws, the department shall provide for the maintenance of records, including criminal history records regarding firearms licensure, as provided in 1927 PA 372, MCL 28.421 to 28.435.

(8) The department shall provide a report to the legislature on concealed pistol licensing not later than December 1, 2021 that includes all of the following:

(a) The department's actual revenue received from fees paid for concealed pistol license (CPL) applications for fiscal year 2020-2021 and the uses of that revenue.

(b) The department's fiscal year 2020-2021 costs for administering its concealed pistol licensing responsibilities under 1927 PA 372, MCL 28.421 to 28.435, but not including costs related to the administration of other state statutes or requirements of federal law.

(9) The department shall provide information on the number of background checks processed through the internet criminal history access tool (ICHAT), as provided in section 222.

(10) The following unexpended and unencumbered revenues deposited into the criminal justice information center service fees shall not lapse to the general fund, but shall be carried forward into the subsequent fiscal year:

(a) Fees for fingerprinting and criminal record checks and name-based criminal record checks under 1935 PA 120, MCL 28.271 to 28.274.

(b) Fees for application and licensing for initial and renewal concealed pistol licenses under 1927 PA 372, MCL 28.421 to 28.435.

(c) Fees for searching, copying, and providing public records under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(d) Revenue from other sources, including, but not limited to, investment and interest earnings.

(11) Unexpended and unencumbered revenue generated by state records management system fees shall not lapse to the general fund, but shall be carried forward into the subsequent fiscal year.

Sec. 403. (1) The department shall provide forensic testing and analysis/profiling of DNA evidence to aid in law enforcement investigations in this state.

(2) The department shall ensure its ability to maintain accreditation by a federally designated accrediting agency, as provided under 34 USC 12592.

(3) The department shall provide forensic science services with an average turnaround time of 55 days, assuming an annual caseload volume commensurate with that received in fiscal year 2012-2013, and shall work to achieve a goal of a 30-day average turnaround time across all forensic science disciplines.

(4) The department shall provide the following data as provided in section 222:

(a) The average turnaround time for processing forensic evidence across all disciplines.

(b) Forensic laboratory staffing levels, including scientists in training, and vacancies.

(c) The number of backlogged cases in each discipline.

Sec. 404. (1) The biometrics and identification division shall house and manage the automated fingerprint identification system, the statewide network of agency photographs, and combined offender DNA index system biometric databases.

(2) The department shall provide data on the number of 10-print and palm-print submissions to the database, with a goal of at least 97% of submissions provided electronically, as provided in section 222.

(3) The department shall maintain the staffing and resources necessary to have a 28-day average wait time for scheduling a polygraph examination, assuming an annual caseload received commensurate with fiscal year 2012-2013, with a goal of achieving a 15-day average wait time.

(4) If changes are made to the department's protocol for retaining and purging DNA analysis samples and records, the department shall post a copy of the protocol changes on the department's website.

Sec. 405. Not later than December 1, the department shall submit a report to the subcommittees and senate and house fiscal agencies that includes, but is not limited to, all of the following information:

(a) Sexual assault kit analysis backlog at the beginning of the prior fiscal year.

(b) The number of sexual assault kits collected or submitted for analysis during the prior fiscal year.

(c) The number of sexual assault kits analyzed and the number of associated DNA profiles created and uploaded during the prior fiscal year.

(d) Sexual assault kit analysis backlog at the ending of the prior fiscal year.

(e) The average turnaround time to analyze sexual assault kits and to create and upload associated DNA profiles for the prior fiscal year.

Sec. 406. The department shall provide administrative support for the following grant and community service programs:

(a) The operations of the automobile theft prevention authority.

(b) Administration of the Edward Byrne memorial justice assistance program and other grant programs, as well as the department's community policing efforts.

(c) Administration of school safety grants.

Sec. 407. Not later than March 30, the office of school safety shall provide a school safety report to the legislature and the senate and house fiscal agencies that must include the following:

(a) The status of school safety grants, if any, issued by the grants and community services unit or the office of school safety, including grant amounts awarded to each school district for school safety improvements.

(b) Reports of incidents of school violence or threats reported to the state police by local law enforcement or local school districts, or received through the Michigan incident crime report (MICR).

(c) Reports of OK2SAY-based incidences and activities.

(d) Based upon an evaluation of incidents of school safety and analysis of school safety grants, recommendations on best practices and other safety measures to ensure school safety in this state.

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Sec. 501. (1) MCOLES shall establish standards for the selection, employment, training, education, licensing, and licensure revocation of all law enforcement officers and provide the basic law enforcement training curriculum for law enforcement training academy programs statewide.

(2) MCOLES shall maintain staffing and resources necessary to update law enforcement standards within 120 days of the enactment date of any new legislation.

FIELD SERVICES

Sec. 601. (1) Department enlisted personnel who are employed to enforce traffic laws as provided in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, are not prohibited from responding to crimes in progress or other emergency situations and are responsible for making every effort to protect all residents of this state.

(2) The department shall maintain the staffing and resources necessary to continually work to enhance traffic safety throughout this state and shall dedicate a minimum of 455,200 hours to statewide patrol, of which a minimum of 40,000 shall be committed to distressed cities in this state. The department shall work to improve public safety efforts within distressed cities by enhancing data analysis capabilities and identifying crime trends and areas with high occurrence of crime.

(3) The department shall report on the number of residence checks of registered sex offenders conducted, as provided under section 222.

(4) The department shall submit a report on or before April 15 to the subcommittees and senate and house fiscal agencies regarding the secure cities partnership during the prior calendar year.

Sec. 602. (1) The department shall identify and apprehend criminals through criminal investigations in this state.

(2) The department shall maintain the staffing and resources necessary to provide a comparable number of hours investigating crimes as those performed in fiscal year 2012-2013.

(3) The department shall maintain the staffing and resources necessary to annually meet or exceed a case clearance rate of 62%.

(4) The department shall annually provide 4 training opportunities to local law enforcement partners with the goal of increasing their knowledge of gambling laws, trends, legal issues, and opioid-related investigations.

(5) The department shall maintain the staffing and resources necessary to increase the number of opioid-related investigations by 20% above the number of those investigations conducted in the 2014-2015 fiscal year by multijurisdictional task forces and hometown security teams. The department shall work to enhance investigative and drug interdiction efforts by enhancing data analysis capabilities and linking investigations among multijurisdictional task forces and hometown security teams.

Sec. 603. (1) The department shall provide protection to this state, its economy, welfare, and vital state-sponsored programs through the prevention and suppression of organized smuggling of untaxed tobacco products in this state, through enforcement of the tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436, and other laws pertaining to combating criminal activity in this state, and by maintaining a tobacco tax enforcement unit.

(2) The department shall submit an annual report on December 1 to the subcommittees, the senate and house appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office that details expenditures and activities related to tobacco tax enforcement for the prior fiscal year.

(3) The tobacco tax enforcement unit shall dedicate a minimum of 16,600 hours to tobacco tax enforcement.

Sec. 604. (1) The department shall provide fire investigation training and investigative assistance to public safety agencies in this state.

(2) The department shall maintain the staffing and resources necessary to maintain readiness to respond appropriately to at least the number of requests for fire investigation services that occurred in fiscal year 2010-2011 and shall be available for call out statewide 100% of the time.

SPECIALIZED SERVICES

Sec. 701. (1) The department shall operate the Michigan intelligence operation center for homeland security as this state's primary federally designated fusion center to receive, analyze, gather, and disseminate threat-related information among federal, state, local, tribal, and private sector partners.

(2) The department shall ensure public safety by providing public and private sector partners with timely and accurate information regarding critical information key resource threats as reported to or discovered by the Michigan intelligence operations center for homeland security and shall increase public awareness on how to report suspicious activity through website or telephone communications.

(3) The department shall maintain the staffing and resources necessary to support the cyber section, including the Michigan cyber command center, the computer crimes unit, and the internet crimes against children task force. The department shall maintain the staffing and resources necessary to increase the number of cases completed by the computer crimes unit by 40% above the number of cases completed in the 2014-2015 fiscal year. The unit shall pursue process improvement initiatives to effectively utilize staff resources in providing investigatory assistance and evidentiary analysis for law enforcement and criminal justice agencies statewide. The department shall maintain the staffing and resources necessary to increase the Michigan cyber command center casework by 25% above the level of activity in the 2017-2018 fiscal year.

(4) The department shall maintain the staffing and resources necessary to provide digital forensic analysis services with a goal of decreasing backlogs of digital forensic analysis cases annually until the department maintains a 60-day turnaround time.

Sec. 702. (1) The department shall provide specialized services in support of, and to enhance, local, state, and federal law enforcement operations within this state in accordance with all applicable state and federal laws and regulations.

(2) The department shall maintain the staffing and resources necessary to provide training to maintain readiness to respond appropriately to at least the number of requests for specialty services which occurred in fiscal year 2010-2011.

(3) The canine unit shall be available for call out statewide 100% of the time.

(4) The bomb squad unit shall be available for call out statewide 100% of the time.

(5) The emergency support teams shall be available for call out statewide 100% of the time.

(6) The marine services team shall be available for call out statewide 100% of the time.

(7) Aviation services shall be available for call out statewide 100% of the time, unless prohibited by weather or unexpected mechanical breakdowns.

(8) The department shall maintain the staff and resources necessary to provide security services at the State Capitol Complex facilities, the State Secondary Complex, and other state-owned or leased properties, as provided under section 6c of 1935 PA 59, MCL 28.6c. The department shall also maintain the staff and resources necessary to respond to emergencies at the State Capitol Complex, State Secondary Complex, House Office Building, Binsfeld Office Building, Capitol parking lot, Townsend Parking Ramp, Roosevelt Parking Ramp, and other areas as directed. The department shall maintain a goal of annually conducting 35,000 property inspections of state owned and leased facilities.

Sec. 703. (1) The department shall maintain commercial vehicle regulation, school bus inspections, and enforcement activities, including enforcement of requirements concerning size, weight, and load restrictions; operating authority; registration; fuel taxes; transportation of hazardous materials; operations of new entrants; commercial driver licenses; and inspections pursuant to the federal motor carrier assistance program.

(2) The department shall maintain the staffing and resources necessary to meet inspection goals consistent with the department's federal motor carrier assistance program activities.

(3) Revenue collected under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.42, shall be expended in accordance with that act. Unexpended and unencumbered revenues shall not lapse to the general fund but shall be carried forward into the subsequent fiscal year.

Sec. 704. (1) The department shall coordinate the mitigation, preparation, response, and recovery activities of municipal, county, state, and federal governments, and other governmental entities, for all hazards, disasters, and emergencies.

(2) The state director of emergency management may expend money appropriated under part 1 to call upon any agency or department of the state or any resource of the state to protect life or property or to provide for the health or safety of the population in any area of this state in which the governor proclaims a state of emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33, or under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. The state director of emergency management may expend the amounts the director considers necessary to accomplish these purposes. The director shall submit to the state budget director, as soon as possible, a complete report of all actions taken under the authority of this section. The report shall contain, as a separate item, a statement of all money expended that is not reimbursable from federal funding. The state budget director shall review the expenditures and submit recommendations to the legislature in regard to any possible need for a supplemental appropriation.

(3) In addition to the funds appropriated in part 1, the department may receive and expend money from local, private, federal, or state sources for the purpose of providing emergency management training to local or private interests and for the purpose of supporting emergency preparedness, response, recovery, and mitigation activity. If additional expenditure authorization in the statewide integrated governmental management application (SIGMA) is approved by the state budget office under this section, the department and the state budget office shall notify the subcommittees and the senate and house fiscal agencies within 10 days after the approval. The notification shall include the amount and source of the additional authorization, the date of its approval, and the projected use of funds to be expended under the authorization. The total amount of federal revenues that may be received and expended under this section and section 230 must not exceed $45,000,000.00. The total amount of state restricted revenues that may be received and expended under this section and section 704(7) must not exceed $15,000,000.00.

(4) The department shall foster, promote, and maintain partnerships to protect this state and homeland from all hazards.

(5) The department shall maintain the staffing and resources necessary to do all of the following:

(a) Serve approximately 105 local emergency management preparedness programs and 88 local emergency planning committees in this state.

(b) Operate and maintain the state's emergency operations center and provide command and control in support of emergency response services.

(c) Maintain readiness, including training and equipment to respond to civil disorders and natural disasters commensurate with the capabilities of fiscal year 2010-2011.

(d) Perform hazardous materials response training.

(6) The department shall conduct a minimum of 3 training sessions to enhance safe response in the event of natural or manmade incidents, emergencies, or disasters.

(7) In addition to the funds appropriated in part 1, there is appropriated from the disaster and emergency contingency fund an amount necessary to cover costs related to any disaster or emergency as defined in the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. However, funds appropriated under this section and state restricted funds received and expended under section 704(3) must not exceed $15,000,000.00. Funds shall be expended as provided under sections 18 and 19 of the emergency management act, 1976 PA 390, MCL 30.418 and 30.419, and R 30.51 to R 30.61 of the Michigan Administrative Code.

(8) Funds in the disaster and emergency contingency fund shall not be expended unless the state budget director approves the expenditure and the department and the state budget office notify the senate and house appropriations committees. If expenditures are made from the disaster and emergency contingency fund during a month, the department shall submit monthly reports to the senate and house fiscal agencies detailing the purpose of the expenditures. These monthly reports shall be submitted within 30 days after the end of the month during which funds from the disaster and emergency contingency fund were expended.

(9) Upon the declaration of a state of emergency or disaster by the governor under section 3 of the emergency management act, 1976 PA 390, MCL 30.403, approval of the state budget director, and notification of the subcommittees and senate and house fiscal agencies, the director may expend funds appropriated from any source to any line item within part 1 for the purpose of paying the necessary and reasonable expenses incurred by the department in responding to or mitigating the effects of any emergency or disaster as those terms are defined in section 2 of the emergency management act, 1976 PA 390, MCL 30.402.

(10) The department shall track and report on a biannual basis, as provided in section 222 of this part, the status of the department's assessment of critical infrastructure vulnerabilities, including the protection status of critical infrastructure items identified by the assessment. The department is not required to report any information that could compromise the security of any critical infrastructure.

Sec. 705. The department shall provide for the planning, administration, and implementation of highway traffic safety programs to save lives and reduce injuries on roads in this state, in partnership with other public and private organizations.

Sec. 706. (1) Funds appropriated in part 1 for the secondary road patrol program shall be used to provide grants to sheriffs under the secondary road patrol program described under section 76 of 1846 RS 14, MCL 51.76.

(2) Not later than April 30, 2021, the office of highway safety planning shall work with the state court administrator, as necessary, to issue a report to the department and the subcommittees on the following data from the previous calendar year:

(a) The total number of traffic civil infractions written under both state and local ordinances for which the $40.00 justice system assessment is to be assessed.

(b) Of the total number reported under subdivision (a), the number of traffic civil infractions written under both state and local ordinances that the court assessed and ordered payment of the justice system assessment.

(c) Of the number reported under subdivision (b), the number of traffic civil infractions for which the justice system assessment was collected and distributed to the justice system fund created in section 181 of the revised judicature act of 1961, 1961 PA 236, MCL 600.181.

(d) The number of citations, misdemeanors, and felonies written under both state and local ordinances corresponding to a law of this state for a violation of each of the following:

(*i*) Section 617a of the Michigan vehicle code, 1949 PA 300, MCL 257.617a.

(*ii*) Section 618 of the Michigan vehicle code, 1949 PA 300, MCL 257.618.

(*iii*) Section 625(1) of the Michigan vehicle code, 1949 PA 300, MCL 257.625.

(*iv*) Section 625(8) of the Michigan vehicle code, 1949 PA 300, MCL 257.625.

(*v*) Section 626 of the Michigan vehicle code, 1949 PA 300, MCL 257.626.

(*vi*) Section 676b of the Michigan vehicle code, 1949 PA 300, MCL 257.676b.

(*vii*) Section 904 of the Michigan vehicle code, 1949 PA 300, MCL 257.904.

(3) The sheriffs' duties under the secondary road patrol program, as outlined in section 76(2) of 1846 RS 14, MCL 51.76, are to patrol and monitor traffic violations; to enforce the criminal laws of this state, violations of which are observed by or brought to the attention of the sheriff's department while patrolling and monitoring secondary roads; to investigate accidents involving motor vehicles; and to provide emergency assistance to persons on or near a highway or road the sheriff is patrolling and monitoring.

ONE-TIME APPROPRIATIONS

Sec. 801. (1) Funds appropriated in part 1 for the Michigan joint task force on jail and pretrial incarceration must be used to support the development and delivery of training for law enforcement, dispatch, and jail officers in the areas of behavioral health and victim services, in accordance with task force recommendations.

(2) The unexpended funds appropriated in part 1 for the Michigan joint task force on jail and pretrial incarceration are designated as work project appropriations and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to support the development and delivery of training for law enforcement, dispatch, and jail officers, in accordance with task force recommendations.

(b) The project will be accomplished by utilizing state employees or contracts with service providers, or both.

(c) The total estimated cost of the project is $4,200,000.00.

(d) The estimated completion date is September 30, 2025.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2021-2022

GENERAL SECTIONS

Sec. 1001. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2022 for the line items listed in part 1. The fiscal year 2021-2022 appropriations are anticipated to be the same as those for fiscal year 2020-2021, excluding appropriations designated as one-time appropriations and adjusting for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2021 consensus revenue estimating conference.

ARTICLE 13

STATE TRANSPORTATION DEPARTMENT

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the state transportation department for the fiscal year ending September 30, 2021, from the following funds:

DEPARTMENT OF TRANSPORTATION		
APPROPRIATION SUMMARY		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,818.3	
GROSS APPROPRIATION	**$**	**5,107,470,600**
Total interdepartmental grants and intradepartmental transfers		4,063,100
ADJUSTED GROSS APPROPRIATIONS		**5,103,407,500**
Federal revenues:		
Total federal revenues		1,424,196,100
Special revenue funds:		
Total local revenues		80,782,000
Total private revenues		900,000
Total other state restricted revenues		3,597,529,400
State general fund/general purpose	**$**	**0**
Sec. 102. DEBT SERVICE		
Airport safety and protection plan	$	3,432,000
Blue Water Bridge fund		6,810,900
Comprehensive transportation		10,903,900
Economic development		11,485,800
Local bridge fund		2,330,700
State trunkline		180,133,000
GROSS APPROPRIATION	**$**	**215,096,300**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		55,180,900
Special revenue funds:		
Blue Water Bridge fund		6,810,900
Comprehensive transportation fund		10,903,900

		For Fiscal Year Ending Sept. 30, 2021
Economic development fund		11,485,800
Local bridge fund		2,330,700
State aeronautics fund		3,432,000
State trunkline fund		124,952,100
State general fund/general purpose	**$**	**0**
Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER AGENCY SUPPORT SERVICES		
CTF grant to civil service commission	$	250,000
CTF grant to department of attorney general		107,800
CTF grant to department of technology, management, and budget		48,100
CTF grant to department of treasury		41,800
CTF grant to legislative auditor general		42,600
MTF grant to department of environment, Great Lakes, and energy		1,497,600
MTF grant to department of state for collection of revenue and fees		20,000,000
MTF grant to department of treasury		3,025,400
MTF grant to legislative auditor general		345,000
SAF grant to civil service commission		150,000
SAF grant to department of attorney general		188,200
SAF grant to department of technology, management, and budget		37,500
SAF grant to department of treasury		81,600
SAF grant to legislative auditor general		33,300
STF grant to civil service commission		6,321,000
STF grant to department of attorney general		2,135,900
STF grant to department of state police		12,170,700
STF grant to department of technology, management, and budget		1,523,500
STF grant to department of treasury		148,300
STF grant to legislative auditor general		801,500
GROSS APPROPRIATION	**$**	**48,949,800**
Appropriated from:		
Special revenue funds:		
Comprehensive transportation fund		490,300
Michigan transportation fund		24,868,000
State aeronautics fund		490,600
State trunkline fund		23,100,900
State general fund/general purpose	**$**	**0**
Sec. 104. DEPARTMENTAL ADMINISTRATION AND SUPPORT		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	251.3	
Unclassified salaries—FTE positions	6.0$	828,600
* positions in above line		6
Asset management council		1,876,400
Business support services—FTEs	41.0	6,797,900
Commission audit and support services—FTEs	29.3	3,574,100
Economic development and enhancement programs—FTEs	10.0	1,734,400
Finance, contracts, and support services—FTEs	171.0	22,467,400
Property management		7,011,400
Worker's compensation		1,608,000
GROSS APPROPRIATION	**$**	**45,898,200**
Appropriated from:		
Interdepartmental grant revenues:		
IDG for accounting service center user charges		4,063,100

		For Fiscal Year Ending Sept. 30, 2021
Special revenue funds:		
Comprehensive transportation fund		1,541,700
Economic development fund		405,300
Michigan transportation fund		4,394,500
State aeronautics fund		775,900
State trunkline fund		34,717,700
State general fund/general purpose	**$**	**0**
Sec. 105. INFORMATION TECHNOLOGY		
Information technology services and projects	$	39,623,000
GROSS APPROPRIATION	**$**	**39,623,000**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		520,500
Special revenue funds:		
Blue Water Bridge fund		57,100
Comprehensive transportation fund		232,300
Economic development fund		38,400
Michigan transportation fund		303,600
State aeronautics fund		181,200
State trunkline fund		38,289,900
State general fund/general purpose	**$**	**0**
Sec. 106. TRANSPORTATION PLANNING		
Full-time equated classified positions	136.0	
Planning services—FTEs	136.0$	41,766,500
Grants to regional planning councils		488,800
GROSS APPROPRIATION	**$**	**42,255,300**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		24,000,000
Special revenue funds:		
Comprehensive transportation fund		622,600
Michigan transportation fund		9,859,900
State aeronautics fund		15,800
State trunkline fund		7,757,000
State general fund/general purpose	**$**	**0**
Sec. 107. DESIGN AND ENGINEERING SERVICES		
Full-time equated classified positions	1,508.3	
Program development and delivery—FTEs	1,031.3$	102,492,900
System operations management—FTEs	357.0	57,666,100
Business services—FTEs	120.0	18,182,300
GROSS APPROPRIATION	**$**	**178,341,300**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		23,529,800
Special revenue funds:		
Comprehensive transportation fund		187,100
Michigan transportation fund		15,656,100
State aeronautics fund		160,300
State trunkline fund		138,808,000
State general fund/general purpose	**$**	**0**

		For Fiscal Year Ending Sept. 30, 2021
Sec. 108. HIGHWAY MAINTENANCE		
Full-time equated classified positions	760.7	
State trunkline operations—FTEs	760.7$	415,521,900
GROSS APPROPRIATION	**$**	**415,521,900**
Appropriated from:		
Special revenue funds:		
State trunkline fund		415,521,900
State general fund/general purpose	**$**	**0**
Sec. 109. ROAD AND BRIDGE PROGRAM		
Cities and villages	$	633,771,000
County road commissions		1,136,717,600
Grants to local programs		33,000,000
Local agency wetland mitigation bank fund		2,000,000
Local bridge program		27,000,100
Local federal aid and road and bridge construction		290,587,800
Movable bridge		5,444,100
Rail grade crossing		3,000,000
Rail grade crossing - surface improvements		3,000,000
State trunkline federal aid and road and bridge construction		1,327,133,800
GROSS APPROPRIATION	**$**	**3,461,654,400**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		1,112,914,900
Special revenue funds:		
Local funds		30,003,500
Blue Water Bridge fund		7,179,100
Local bridge fund		27,000,100
Michigan transportation fund		1,816,932,700
State trunkline fund		467,624,100
State general fund/general purpose	**$**	**0**
Sec. 110. BLUE WATER BRIDGE		
Full-time equated classified positions	41.0	
Blue Water Bridge operations—FTEs	41.0$	6,743,700
GROSS APPROPRIATION	**$**	**6,743,700**
Appropriated from:		
Special revenue funds:		
Blue Water Bridge fund		6,743,700
State general fund/general purpose	**$**	**0**
Sec. 111. TRANSPORTATION ECONOMIC DEVELOPMENT		
Community service infrastructure fund	$	3,000,000
Forest roads		5,000,000
Rural county primary		7,698,600
Rural county urban system		2,500,000
Target industries/economic redevelopment		2,897,300
Urban county congestion		7,698,600
GROSS APPROPRIATION	**$**	**28,794,500**
Appropriated from:		
Special revenue funds:		
Economic development fund		28,794,500
State general fund/general purpose	**$**	**0**
Sec. 112. AERONAUTICS SERVICES		
Full-time equated classified positions	46.0	

		For Fiscal Year Ending Sept. 30, 2021
Air fleet operations and maintenance—FTEs	8.0$	1,774,500
Air service program		50,000
Aviation services—FTEs	38.0	4,925,500
GROSS APPROPRIATION	**$**	**6,750,000**
Appropriated from:		
Special revenue funds:		
State aeronautics fund		6,750,000
State general fund/general purpose	**$**	**0**
Sec. 113. PUBLIC TRANSPORTATION SERVICES		
Full-time equated classified positions	36.0	
Passenger transportation services—FTEs	36.0$	6,067,900
GROSS APPROPRIATION	**$**	**6,067,900**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		972,100
Special revenue funds:		
Comprehensive transportation fund		5,095,800
State general fund/general purpose	**$**	**0**
Sec. 114. LOCAL BUS TRANSIT		
Local bus operating	$	193,750,000
Nonurban operating/capital		30,027,900
GROSS APPROPRIATION	**$**	**223,777,900**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		28,027,900
Special revenue funds:		
Local funds		2,000,000
Comprehensive transportation fund		193,750,000
State general fund/general purpose	**$**	**0**
Sec. 115. INTERCITY PASSENGER AND FREIGHT		
Full-time equated classified positions	39.0	
Detroit/Wayne County Port Authority	$	400,000
Freight property management		1,000,000
Intercity services		7,260,000
Marine passenger service		928,000
Office of rail—FTEs	39.0	6,779,700
Rail operations and infrastructure		98,738,000
GROSS APPROPRIATION	**$**	**115,105,700**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		24,500,000
Special revenue funds:		
Local funds		760,000
Private funds		900,000
Total private revenues		900,000
Comprehensive transportation fund		79,449,500
Intercity bus equipment fund		600,000
Michigan transportation fund		2,124,300
Rail freight fund		6,000,000
State trunkline fund		771,900
State general fund/general purpose	**$**	**0**
Sec. 116. PUBLIC TRANSPORTATION DEVELOPMENT		

		For Fiscal Year Ending Sept. 30, 2021
Municipal credit program	$	2,000,000
Service initiatives		8,475,100
Specialized services		18,438,900
Transit capital - Urban		56,220,700
Transit capital - Nonurban		52,850,000
Transportation to work		3,875,000
Van pooling		150,000
GROSS APPROPRIATION	**$**	**142,009,700**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		48,550,000
Special revenue funds:		
Local funds		35,510,000
Comprehensive transportation fund		57,949,700
State general fund/general purpose	**$**	**0**
Sec. 117. CAPITAL OUTLAY		
Salt storage buildings and containment control	$	2,500,000
Special maintenance, remodeling, and additions		3,001,500
Airport safety, protection, and improvement program	$	121,076,500
Detroit Metropolitan Wayne County Airport		4,303,000
GROSS APPROPRIATION	**$**	**130,881,000**
Appropriated from:		
Federal revenues:		
Federal aid – transportation programs		106,000,000
Special revenue funds:		
Local funds		12,508,500
Qualified airport fund		4,303,000
State aeronautics fund		2,568,000
State trunkline fund		5,501,500
State general fund/general purpose	**$**	**0**

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2020-2021

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2020-2021 is $3,597,529,400.00 and state spending from state sources to be paid to local units of government for fiscal year 2020-2021 is $2,125,342,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

STATE TRANSPORTATION DEPARTMENT		
Grants to regional planning councils	$	488,800
Cities and villages		633,771,000
County road commissions		1,136,717,600
Grants to local programs		33,000,000
Local bridge program		27,000,100
Local agency wetland mitigation		2,000,000
Movable bridge		2,668,700
Rail grade crossing		1,500,000
Rail grade surface crossing improvements		3,000,000
Transportation economic development		25,897,200
Air service program		50,000
Local bus operating		193,750,000
Detroit/Wayne County Port Authority		400,000

	For Fiscal Year Ending Sept. 30, 2021
Marine passenger service	428,000
Municipal credit program	2,000,000
Service initiatives	6,500,100
Specialized services	4,353,900
Transit capital	41,070,700
Transportation to work	3,875,000
Airport safety, protection, and improvement program	2,568,000
Detroit Metropolitan Wayne County Airport	4,303,000
Total payments to local units of government	**$ 2,125,342,100**

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "CTF" means comprehensive transportation fund.

(b) "Department" means the state transportation department.

(c) "Director" means the director of the department.

(d) "DOT" means the United States Department of Transportation.

(e) "DOT-FHWA" means DOT, Federal Highway Administration.

(f) "FTE" means full-time equated.

(g) "IDG" means interdepartmental grant.

(h) "MTF" means Michigan transportation fund.

(i) "SAF" means state aeronautics fund.

(j) "STF" means state trunkline fund.

Sec. 204. The departments and agencies receiving appropriations in part 1 shall use the internet to fulfill the reporting requirements of this part. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement, and it shall include placement of reports on an internet site.

Sec. 205. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 206. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 207. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

(a) The dates of each travel occurrence.

(b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 208. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 209. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation

lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $40,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $1,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 211. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

Sec. 212. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the senate and house appropriations chairs, the chairpersons of the senate and house appropriations subcommittees on transportation, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2020 and September 30, 2021.

Sec. 213. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance.

Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2021 are $73,945,200.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at $35,479,800.00. Total agency appropriations for retiree health care legacy costs are estimated at $38,465,400.00.

Sec. 215. A department shall not take disciplinary action against an employee of the department or departmental agency in the state classified civil service because the employee communicates with a member of the senate or house of representatives or a member's staff, unless the communication is prohibited by law and the department or agency taking disciplinary action is exercising its authority as provided by law.

Sec. 216. (1) On a quarterly basis, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) The number of FTEs in pay status by type of staff and civil service classification.

(b) A comparison by line item of the number of FTEs authorized from funds appropriated in part 1 to the actual number of FTEs employed by the department at the end of the reporting period.

(2) By April 1 of the current fiscal year and semiannually thereafter, the department shall report to the senate and house appropriations committees, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies the following information:

(a) Number of employees that were engaged in remote work in 2020.

(b) Number of employees authorized to work remotely and the actual number of those working remotely in the current reporting period.

(c) Estimated net cost savings achieved by remote work.

(d) Reduced use of office space associated with remote work.

Sec. 217. Appropriations in part 1 shall, to the extent possible by the department, not be expended until all existing work project authorization available for the same purposes is exhausted.

Sec. 218. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, intertransfer funds within this article for the particular department, board, commission, officer, or institution.

Sec. 219. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. The department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the senate and house subcommittees on transportation, the joint committee on administrative rules, and the senate and house fiscal agencies.

Sec. 221. To the extent possible, the department shall provide notice to the speaker of the house, the house minority leader, the senate majority leader, the senate minority leader, the house and senate standing committees on transportation, the appropriate house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on proposed federal rule changes related to the department that would require amendments to the laws of this state. The notice shall be given within 30 business days of the proposed federal rule being posted to the Federal Register and shall include a description of the proposed federal rule, the publication date, the date when public comment closes, the document citation, and a description of the statutory changes needed when the rule is finalized.

Sec. 270. In order to reduce costs and maintain quality, it is the intent of the legislature that, excluding the fleet of motor vehicles for the department of state police, the department will prioritize the utilization of remanufactured parts as the primary means of maintenance and repair for the state of Michigan's fleet of motor vehicles.

DEPARTMENT ADMINISTRATION AND SUPPORT

Sec. 301. (1) The department may establish a fee schedule and collect fees sufficient to cover the costs to issue the permits that the department is authorized by law to issue upon request, unless otherwise stipulated by law. All permit fees are nonrefundable application fees and shall be credited to the appropriate fund to recover the direct and indirect costs of receiving, reviewing, and processing the requests.

(2) A bridge authority shall hold 3 public hearings on an increase in any toll charged by the authority at least 30 days before the toll change will become effective. Two of the hearings shall be held within 10 miles of the bridge over which the bridge authority has jurisdiction. One hearing shall be held in Lansing. Public hearings held under this section shall be conducted in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and shall be conducted so as to provide a reasonable opportunity for public comment, including both spoken and written comments. Public hearings under this section shall make reasonable accommodations to allow for participation by the public through electronic formats, including the opportunity to view the public hearing through internet broadcast and to submit comments by digital means.

Sec. 304. If, as a requirement of bidding on a highway project, the department requires a contractor to submit financial or proprietary documentation as to how the bid was calculated, that bid documentation shall be kept confidential and shall not be disclosed other than to a department representative without the contractor's written consent. The department may disclose the bid documentation if necessary to address or defend a claim by a contractor.

Sec. 305. (1) The department may permit space on public passenger transportation properties to be occupied by public or private tenants on a competitive market rate basis. The department shall require that revenue from the tenants be placed in an account to be used to pay the costs to maintain and improve the property.

(2) The department shall charge all public transit agencies and all intercity bus carriers equal rates per square foot, at fair market rates, for leasing space in state-owned intermodal facilities.

Sec. 306. (1) The amounts appropriated in part 1 to support tax and fee collection, law enforcement, and other program services provided to the department and to transportation funds by other state departments shall be expended from transportation funds pursuant to annual contracts between the department and those other state departments. The contracts shall be executed prior to the expenditure or obligation of those funds. The contracts shall provide, but are not limited to, the following data applicable to each state department:

(a) Estimated costs to be recovered from transportation funds.

(b) Description of services provided to the department and/or transportation funds and financed with transportation funds.

(c) Detailed cost allocation methods appropriate to the type of services being provided and the activities financed with transportation funds.

(2) Not later than 2 months after publication of the state of Michigan comprehensive annual financial report, each state department receiving funding pursuant to an interdepartment contract with the department shall submit a written report to the department, the state budget director, the house and senate fiscal agencies, and the auditor general stating by spending authorization account the amount of estimated funds contracted with the department, the amount of funds expended, the amount of funds returned to the transportation funds, and any unreimbursed transportation-related costs incurred but not billed to transportation funds. A copy of the report shall be submitted to the auditor general, and the report shall be subject to audit.

(3) The auditor general shall use a risk-based approach in developing an audit program for the use of transportation funds.

Sec. 307. Before March 1 of each year, the department will provide to the legislature, the state budget director, and the house and senate fiscal agencies its rolling 5-year plan listing by county or by county road commission all highway construction projects for the fiscal year and all expected projects for the ensuing fiscal years.

Sec. 308. By January 15, 2021, the department must provide a report to the legislature that includes all of the following:

(a) A list of all real estate owned or held by the department.

(b) The current market value of any real estate owned or held by the department.

(c) The amount paid for any real estate owned or held by the department.

(d) A list of any real estate sold by the department during the prior fiscal year, along with the amount of the sale and the names of the purchasers of the real estate.

Sec. 309. No later than 90 days before the close of the fiscal year, the department shall compile and issue a report to the legislature regarding the use of employee accountability systems, including electronic monitoring of FTEs, contractors, part-time workers, and vendors. The report must include, but is not limited to, all of the following:

(a) The number of individuals being monitored during the fiscal year.

(b) The standards used to assess individual performance.

(c) Any general findings from the accountability systems.

(d) Any specific findings from the accountability systems.

(e) A list of any corrective measures taken as a result of any findings from the accountability systems.

(f) The standards by which the department applied personnel corrective measures.

(g) A good-faith estimate of the dollar value of the losses to the state as tracked by the accountability systems.

Sec. 310. The department shall provide in a timely manner copies of the agenda, approved minutes, and audio recording of monthly transportation commission meetings to the members of the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director.

Sec. 313. (1) From funds appropriated in part 1, the department may increase a state infrastructure bank program and grant or loan funds in accordance with regulations of the state infrastructure bank program of the United States Department of Transportation. The state infrastructure bank is to be administered by the department for the purpose of providing a revolving, self-sustaining resource for financing transportation infrastructure projects.

(2) In addition to funds provided in subsection (1), money received by the state as federal grants, repayment of state infrastructure bank loans, or other reimbursement or revenue received by the state as a result of projects funded by the program and interest earned on that money shall be deposited in the revolving state infrastructure bank fund and shall be available for transportation infrastructure projects. At the close of the fiscal year, any unencumbered funds remaining in the state infrastructure bank fund shall remain in the fund and be carried forward into the succeeding fiscal year. The department must obtain approval of both the house of representatives and the senate prior to increasing a state infrastructure bank program.

(3) The department shall submit a report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on the status of the state infrastructure bank. The report shall be submitted on or before December 1, 2020. The report shall include all of the following:

(a) The balance in the state infrastructure bank at September 30, 2020, including a breakdown of the balance by cash and cash equivalents, outstanding loans, and balance available for loan to local agencies.

(b) A breakdown of the state infrastructure loan balance by amounts designated as originating from federal sources and the amounts originating from nonfederal sources.

(c) A list of outstanding loans by agency, original loan amount, project description, loan term, and amount outstanding.

Sec. 319. The department shall post signs at each rest area to identify the agency or contractor responsible for maintenance of the rest area. The signs shall include a department telephone number and shall indicate that unsafe or unclean conditions at the rest area may be reported to that telephone number.

Sec. 328. From the funds appropriated in part 1, section 104, the department shall do the following:

(a) Not later than 90 days before the close of the fiscal year, the department shall issue a report to each house of the legislature regarding freedom of information act compliance by the department that includes all of the following:

(*i*) The estimated cost and number of staff hours spent by the department to comply with the freedom of information act during the reporting period.

(*ii*) The estimated number of freedom of information act requests to the department, listed by subject area, during the reporting period.

(*iii*) A copy of each freedom of information act request to the department during the reporting period.

(*iv*) A copy of each freedom of information act response by the department to the requester during the reporting period.

(*v*) Any documents relating to an appeal or contested case involving a freedom of information act request to the department during the reporting period.

(b) The department shall submit the report described in subdivision (a) in electronic format.

Sec. 353. (1) The department shall review its contractor payment process and ensure that all prime contractors are paid promptly. The department shall ensure that prime contractors are in compliance with special provision 109.10 regarding the prompt payment of subcontractors.

(2) The department shall report to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies, by April 10 of each year, on its compliance with this section. The report shall include each instance of late payment of contractors and subcontractors, the amounts due each contractor and subcontractor, and copies of those documents.

Sec. 357. When presented with complete local federal aid project submittals, the department shall complete all necessary reviews and inspections required to let local federal aid projects within 120 days of receipt. The department shall implement a system for monitoring the local federal aid project review process.

Sec. 375. The department is prohibited from reimbursing contractors or consultants for costs associated with groundbreaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded, in whole or in part, by revenue appropriated in part 1.

Sec. 376. The department shall not spend funds appropriated in part 1 for the purpose of examining the potential association between commercial signs, outdoor advertising signs, billboards, digital billboards, or commercial electronic variable message signs and motor vehicle activity or motor vehicle driver behavior.

Sec. 377. No funds from the appropriation in part 1 may be expended for any contractual service contract with a value in excess of $100,000.00 with any vendor in which a former department director has direct input into the solicitation response or contract negotiation process, or will be compensated for any work performed on the contract within 24 months of that former director's last employment with the department. This section may be waived by resolution of the Michigan house of representatives and senate.

Sec. 378. Within 120 days after this act becomes effective, the department will produce a report related to international hazardous materials routing. The report shall include the primary and alternate routes to be used during transport, discuss why these are the preferred routes in terms of avoiding residential areas, peak traffic hours, hazardous road conditions, including maps of the vicinities near public crossings that clearly identify emergency response and enforcement resources, and repair facilities along the route. Features of the proposed route that require attention include the location of enforcement and emergency response resources and jurisdictions, potential road and traffic hazards, and population centers.

Sec. 381. The department shall require as a condition of each contract or subcontract for construction, maintenance, or engineering services that the prequalified contractor or prequalified subcontractor agree to use the E-Verify system to verify that all persons hired during the contract term by the contractor or subcontractor are legally present and authorized to work in the United States. The department may verify this information directly or may require contractors and subcontractors to verify the information and submit a certification to the department. The department shall report to the house and senate appropriations committees and the house and senate fiscal agencies by March 1 of each year describing the processes it has developed and implemented under provisions of this section. As used in this section, "E-Verify" means an internet-based system operated by the Department of Homeland Security, U.S. Citizenship and Immigration Services in partnership with the Social Security Administration.

Sec. 382. In administering a contract with a county road commission, city, or village that allocates costs of construction or reconstruction of highways, roads, and streets as provided in section 18d of 1951 PA 51, MCL 247.668d, the department shall submit the final cost-sharing bill to the county road commission, city, or village not later than 2 years after the date of the final contract payment to the construction contractor.

Sec. 383. (1) The department shall prepare a report on use of department-owned aircraft during the fiscal year ending September 30, 2020. With respect to each department-owned aircraft, the report shall include all of the following:

(a) Total hours of usage.

(b) Description of specific flights including dates of travel, names of passengers including state agency, university, or local government affiliation, travel origin and destination, and total estimated costs associated with the air travel.

(2) The report shall be submitted to the senate and house appropriations subcommittees on transportation, state budget director, and the house and senate fiscal agencies no later than February 1, 2021.

(3) The department shall maintain a system for recovering the cost of operating department-owned aircraft through charges to aircraft users.

(4) From the funds appropriated in part 1, the department is prohibited from transporting legislators or legislative staff on state-owned aircraft without prior approval from the senate majority leader or the speaker of the house of representatives and only when the aircraft is already scheduled by state agencies on related official state business.

Sec. 384. (1) Except as otherwise provided in subsection (2), the department shall not obligate the state to expend any state transportation revenue for construction planning or construction of the Gordie Howe International Crossing or a renamed successor. In addition, except as provided in subsection (2), the department shall not commit the state to any new contract related to the construction planning or construction of the Gordie Howe International Crossing or a renamed successor that would obligate the state to expend any state transportation revenue. An expenditure for staff resources used in connection with project activities, which expenditure is subject to full and prompt reimbursement from Canada, shall not be considered an expenditure of state transportation revenue.

(2) If the legislature enacts specific enabling legislation for the construction of the Gordie Howe International Crossing or a renamed successor, subsection (1) does not apply once the enabling legislation goes into effect.

Sec. 385. (1) The department shall submit monthly reports to the state budget director, the speaker of the house of representatives, the house of representatives minority leader, the senate majority leader, the senate minority leader, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on all of the following:

(a) All expenditures made by the state related to the Gordie Howe Bridge.

(b) All reimbursements made by Canada under section 384(1) of this part to the state for expenditures for staff resources used in connection with project activities.

(c) All eminent domain and condemnation powers used, the related real estate involved in any governmental taking, the price paid for those properties, and the beneficiary's name or associated corporation.

(2) The initial report required under subsection (1) shall be submitted on or before December 1, 2020. The initial report shall cover the fiscal year ending September 30, 2020.

Sec. 386. (1) On or before May 1 of each year, the department shall submit a report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on its toll credit program. The report shall include the following information:

(a) The amount of toll credits earned and certified by the DOT-FHWA in the prior fiscal year.

(b) The value of toll credits used by programs and projects in the previous fiscal year.

(c) The balance of available toll credits at the end of the prior fiscal year.

(d) A discussion of the department's strategy for using toll credits.

(2) The department shall use toll credits to match grants from federal funds in the following order of priority:

(a) Bridge construction and preservation projects.

(b) Local road agency projects.

(c) State trunkline road projects.

(d) Rail infrastructure projects.

(e) Transit capital grants.

(f) Aeronautics capital grants.

(g) Any other eligible projects.

(h) Bike paths.

Sec. 387. (1) Within 60 days of completion of any formal traffic study, formal traffic control study, or formal traffic mitigation study, the department shall post the results of the study on the department's website.

(2) As used in this section, the terms "traffic study", "traffic control study", and "traffic mitigation study" include, but are not limited to, investigations into the need for traffic lights, reviews of traffic speeds and related recommendations regarding speed limits, and ways to improve traffic flow during peak travel times.

Sec. 389. Within 30 days of entering into a long-term agreement with a private contractor, a public agency, or a partnership between 1 or more private contractors or public agencies, the department shall notify the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies of the agreement, including the subject of the agreement, the term of the agreement, and financial obligations under the agreement. As used in this section, "long-term agreement" means an agreement that obligates the department for a period of 5 years or more and that actually or contingently obligates the department to make payments over the contract period of $5,000,000.00 or more.

Sec. 390. (1) Within 14 days after the release of the executive budget recommendation, the department shall report on prior fiscal year revenues, expenditures, and ending balances, including a description of obligations or restrictions in ending balances, for the following funds and accounts:

(a) The moveable bridge fund.

(b) The rail grade crossing account.

(c) The transportation economic development fund.

(d) The roads and risks reserve fund.

(e) Any unencumbered general fund revenue.

(f) Any unexpended federal earmarks.

(2) The department shall transmit the reports required under this section to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies.

Sec. 391. The department shall not use any funds from the appropriations in part 1 to perform, or to assist any other state department in performing, inspections or testing of motor fuel quality.

Sec. 393. (1) The department shall promote best practices for public transportation services in this state, including, but not limited to, all the following:

(a) Transit vehicle rehabilitation to reduce life-cycle cost of public transportation through midlife rehabilitation of transit buses.

(b) Cooperation between entities using transit, including school districts, cities, townships, and counties with a view to promoting cost savings through joint purchasing of fuel and other procurements.

(c) Coordination of transportation dollars among state departments which provide transit-related services, including the department of health and human services. Priority should be given to use of public transportation services where available.

(d) Promotion of intelligent transportation services for buses that incorporate computer and navigation technology to make transit systems more efficient, including stoplight coordinating, vehicle tracking, data tracking, and computerized scheduling.

Sec. 394. The department and local road agencies shall make the preservation of their existing road networks a funding priority.

Sec. 395. From the funds appropriated in part 1 for state trunkline federal aid road and bridge construction, the department may expend up to $10,000,000.00 on highway maintenance activities to support safety-related, high-priority, and other deferred routine maintenance needs on Michigan's state trunkline network.

Sec. 398. The department shall continue to work to eliminate fatalities and serious injuries on Michigan's trunkline network and shall maintain the Toward Zero Deaths statewide safety campaign. The department shall prioritize additional median cable guardrail installation when appropriate to address trunkline locations with a history of correctable fatal and serious injury crashes.

Sec. 399. From the funds appropriated for state trunkline federal aid and road and bridge construction, not less than 10% shall be spent on capital preventative maintenance of state trunkline, as defined in section 10c of 1951 PA 51, MCL 247.660c.

FEDERAL

Sec. 402. A portion of the federal DOT-FHWA highway research, planning, and construction funds made available to this state shall be allocated to transportation programs administered by local jurisdictions in accordance with section 10o of 1951 PA 51, MCL 247.660o. A local road agency, with respect to a project approved for federal aid funding in a state transportation improvement program, may enter into a voluntary buyout agreement with the department or with another local road agency to exchange the federal aid with state restricted transportation funds as agreed to by the respective parties. The state restricted transportation funds received in exchange for federal aid funds shall be used for the same purpose as the federal aid funds were originally intended.

MICHIGAN TRANSPORTATION FUND

Sec. 501. The money received under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.42, and not appropriated to the department of licensing and regulatory affairs or the department of state police is deposited in the Michigan transportation fund.

Sec. 503. (1) At the close of the fiscal year, funds appropriated in part 1 for the transportation economic development program shall lapse to the transportation economic development fund.

(2) At the close of the fiscal year, funds appropriated in part 1 for the local bridge program shall carry forward and are appropriated for the purposes defined in section 10(5) of 1951 PA 51, MCL 247.660.

(3) Interest earned in the department of transportation economic development fund and local bridge fund shall remain in the respective funds and shall be allocated to the respective programs based on actual interest earned at the end of each fiscal year.

(4) In addition to the funds appropriated in part 1, the department of transportation economic development fund and local bridge fund may receive federal, local, or private funds or restricted source funds such as interest earnings. These funds are appropriated for projects that are consistent with the purposes of the respective funds.

(5) None of the funds statutorily dedicated to the transportation economic development fund and local bridge fund shall be diverted to other projects.

Sec. 504. Funds from the Michigan transportation fund shall be distributed to the comprehensive transportation fund, the economic development fund, the recreation improvement fund, and the state trunkline fund, in accordance with this part and part 1 and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108, and may only be used as specified in this part and part 1, 1951 PA 51, MCL 247.651 to 247.675, and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108.

Sec. 505. The department shall regularly assess the need and viability to host meetings open to all local units of government, including county, city, and village officials in the state of Michigan to provide information on the availability of state and federal grant and loan programs and opportunities for local road and bridge repair and reconstruction projects. The meetings may be conducted online or in person and when possible should be conducted in partnership with outside associations and other state agencies.

STATE TRUNKLINE FUND

Sec. 601. The department shall maintain documentation to support initial acceptance of warrantied projects, interim and final inspections, and notifications to contractors that the warranty period had expired. The department also shall review and evaluate consultant evaluation requirements or recommendations and update existing policies and procedures accordingly.

Sec. 604. At the close of the fiscal year, any unencumbered and unexpended balance in the state trunkline fund shall remain in the state trunkline fund and shall carry forward and is appropriated for federal aid road and bridge programs for projects contained in the annual state transportation program.

Sec. 612. The department shall establish guidelines governing incentives and disincentives provided under contracts for state trunkline projects. The guidelines shall include specific financial information concerning incentives and disincentives. On or before January 1 of each year, the department shall prepare a report for the immediately preceding fiscal year regarding contract incentives and disincentives. This report shall include a list, by project, of the contractors that received contract incentives and/or disincentives, the amount of the incentives and/or disincentives, the fund source of any incentives, and the number of days that each project was completed either ahead or past the contracted completion date. This report shall be provided to the senate and house appropriations subcommittees on transportation, the senate and house standing committees on transportation, and the senate and house fiscal agencies.

Sec. 613. (1) On or before February 1 of each year, the department shall prepare a report on all capital federal aid participating construction projects completed in the prior fiscal year. The report shall include the following information:

(a) Location of the project.

(b) General description of the project.

(c) As-bid cost of the project.

(d) As-built cost of the project.

(e) Estimated completion date.

(f) Actual completion date.

(g) Whether design engineering was performed by department staff or contract engineering consultants, and, if performed by contract engineering consultants, the name of the contract engineering consultant firm or firms.

(h) Design engineering costs.

(i) Whether construction engineering was performed by department staff or contract engineering consultants, and, if performed by contract engineering consultants, the name of the contract engineering consultant firm or firms.

(j) Construction engineering costs.

(k) Design life.

(2) The report shall include a discussion of design engineering and construction engineering costs as a proportion of total project costs and in comparison with other state transportation agencies. The report shall also include a discussion of relative efficiency and effectiveness of work performed by department staff and work performed by contract engineering consultants.

(3) The report described in this section shall be provided to the senate and house appropriations subcommittees on transportation, the senate and house standing committees on transportation, and the senate and house fiscal agencies.

Sec. 660. (1) The legislature encourages the department to examine the use of alternative road surface materials, including recycled materials and flexible concrete, and to develop criteria and specifications for their use in both department-managed and contracted projects.

(2) The department shall report on efforts taken to implement this section. The report shall include descriptions of specific materials evaluated, evaluation methods, and results of specific field or laboratory tests. The department shall complete and submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on or before March 1 of each year.

Sec. 661. (1) From funds appropriated in part 1, the department shall establish a collaborative stakeholder group to review innovative road materials and innovative road and bridge design and construction specifications. The collaborative group shall include representatives from the following stakeholder groups:

(a) The DOT-FHWA.

(b) An appointee of the speaker of the house of representatives.

(c) An appointee of the senate majority leader.

(d) The Asphalt Pavement Association of Michigan.

(e) The Michigan Concrete Association.

(f) The Michigan Council of Engineering Companies of Michigan.

(g) The Michigan Infrastructure and Transportation Association.

(h) The County Road Association of Michigan.

(i) The Michigan Municipal League.

(j) The Michigan Association of Drain Commissioners.

(k) The Michigan Aggregates Association.

(*l*) The Michigan Association of Counties.

(m) The Michigan Road Preservation Association.

(2) Beginning July 1, 2021, the department shall report quarterly on the activities of the collaborative stakeholder group established under this section. The report shall be provided by April 1, 2021, to the house appropriations committee, the senate appropriations committee, the house standing committee on transportation and infrastructure, the senate standing committee on transportation and infrastructure, and the house and senate fiscal agencies. The report shall describe the innovative materials and innovative road and bridge design and construction specifications submitted for review. The report shall also describe, of the innovative materials and innovative road and bridge design and construction specifications submitted for review, the submissions recommended for adoption by the department and the submissions not recommended for adoption by the department. The department shall provide recipients with updated reports on activities of the collaborative stakeholder group by July 1, 2021 and September 30, 2021.

TRANSIT AND RAIL RELATED FUNDS

Sec. 701. The department shall establish an intercity bus equipment and facility fund as a subsidiary fund within the comprehensive transportation fund created under section 10b of 1951 PA 51, MCL 247.660b. Proceeds received by this state from the sale of state-owned intercity bus equipment shall be credited to the intercity bus equipment and facility fund for the purchase and repair of intercity bus equipment, as appropriated. Security deposits not returned to a lessee of state-owned intercity bus equipment under terms of the lease agreement shall be credited to the intercity bus equipment and facility fund for the repair of intercity bus equipment, as appropriated. Money received by the department from lease payments for state-owned intercity bus equipment, and facility maintenance charges under terms of leases of state-owned intercity facilities, shall be credited to the intercity bus equipment and facility fund for the purchase and repair of intercity bus equipment or for the maintenance and rehabilitation of state-owned intercity facilities, as appropriated. At the close of the fiscal year, any funds remaining in the intercity bus equipment and facility fund shall remain in the fund and be carried forward into the succeeding fiscal year.

Sec. 702. Money that is received by this state as repayment for loans made for rail or water freight capital projects, and as a result of the sale of property or equipment used or projected to be used for rail or water freight projects shall be deposited in the rail freight fund created by section 17 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of the fiscal year, any funds remaining in the rail freight fund shall remain in the fund and be carried forward into the succeeding fiscal year.

Sec. 703. After receiving notification from a railroad company pursuant to section 8 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.58, the department shall immediately notify the house of representatives and senate appropriations subcommittees on transportation and the state budget office that the railroad company has filed with the appropriate governmental agencies for abandonment of a line.

Sec. 704. From the funds appropriated in part 1, the department shall prepare and transmit a report that provides detail regarding the department's obligations for programs funded under the appropriation in part 1 for rail operations and infrastructure. The report shall include a breakdown of the appropriation by program, year-to-date obligations under each program itemized by project, and an estimate of future obligations under each program itemized by project for the remainder of the fiscal year. The initial report shall be submitted to the senate and house appropriations subcommittees on transportation, the state budget director, and the senate and house fiscal agencies, on or before February 1, 2021. The department also shall update and resubmit the final report on or before November 1, 2021.

Sec. 706. The Detroit/Wayne County Port Authority shall issue a complete operations assessment and a financial disclosure statement. The operations assessment shall include operational goals for the next 5 years and recommendations to improve land acquisition and development efficiency. The report shall be completed and submitted to the house of representatives and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies by June 30 of each fiscal year for the prior fiscal year.

Sec. 707. (1) Before March 1 of each year, the department will provide to the legislature, the state budget office, and the house and senate fiscal agencies its rail strategic plan. The strategic plan shall include, but is not limited to, a rolling 5-year rail plan and summary of the department's obligations for programs funded under the appropriation in part 1 for rail operations and infrastructure.

(2) The rolling 5-year rail plan shall include, but is not limited to, all the following:

(a) A listing by county of all rail infrastructure projects on rail lines within the state utilizing state funds, and the estimated cost of each project.

(b) The actual or projected state expenditures for operation of passenger rail service.

(c) The actual or projected state expenditures for maintenance of passenger service rail lines.

(3) The period of the rolling 5-year rail plan includes the current fiscal year and the 4 fiscal years immediately following the current fiscal year.

(4) The summary of the department's obligations for programs funded under the appropriation in part 1 for rail operations and infrastructure shall include a breakdown of the appropriation by program, year-to-year obligations under each program itemized by project, and an estimate of future obligations under each program itemized by project for the remainder of the fiscal year.

Sec. 719. It is the intent of the legislature that by September 30, 2021, each subsidized elderly and medical transit system located in a county with a population of 100,000 or more must determine that system's estimated cost per rider. It is the intent of the legislature that during the fiscal year, each system must issue a request for proposals from ride-sharing companies for 50% of the system's anticipated service.

Sec. 720. It is the intent of the legislature that all transit agencies in Michigan should strive to achieve a farebox recovery rate of not less than 6%.

Sec. 735. For the fiscal year ending September 30, 2021, the appropriation to a street railway pursuant to section 10e(22) of 1951 PA 51, MCL 247.660e, is $0.

Sec. 752. At least once each fiscal year, the department shall meet with representatives of a rail industry trade association to provide information on the availability of rail infrastructure loan and grant funding programs and freight economic development project opportunities.

Sec. 753. From the funds appropriated in part 1 for marine passenger service, 60% must be spent on eligible entities servicing multiple destinations. The remaining funds must be spent on eligible entities servicing a single destination.

AERONAUTICS FUND

Sec. 801. Except as otherwise provided in section 903 of this part for capital outlay, at the close of the fiscal year, any unobligated and unexpended balance in the state aeronautics fund created in the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1 to 259.208, shall lapse to the state aeronautics fund and be appropriated by the legislature in the immediately succeeding fiscal year.

CAPITAL OUTLAY

Sec. 901. (1) From federal-state-local project appropriations contained in part 1 for the purpose of assisting political entities and subdivisions of this state in the construction and improvement of publicly used airports and landing fields within this state, the state transportation department may permit the award of contracts on behalf of units of local government for the authorized locations not to exceed the indicated amounts, of which the state allocated portion shall not exceed the amount appropriated in part 1.

(2) Political entities and subdivisions shall provide not less than 5% of the cost of any project under this section, unless a total nonfederal share less than 10% is otherwise specified in federal law. State money shall not be allocated until local money is allocated. State money for any 1 project shall not exceed 1/3 of the total appropriation in part 1 from state funds for airport improvement programs.

(3) The Michigan aeronautics commission may take those steps necessary to match federal money available for airport construction and improvement within this state and to meet the matching requirements of the federal government. Whether acting alone or jointly with another political subdivision or public agency or with this state, a political subdivision or public agency of this state shall not submit to any agency of the federal government a project application for airport planning or development unless it is authorized in this part and part 1 and the project application is approved by the governing body of each political subdivision or public agency making the application and by the Michigan aeronautics commission.

Sec. 903. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

ARTICLE 14
SUPPLEMENTAL APPROPRIATIONS
PART 1
LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2019-2020

Sec. 101. There is appropriated for the various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2020, from the following funds:

APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**214,984,500**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**214,984,500**
Federal revenues:		
Total federal revenues		340,820,800
Special revenue funds:		
Total local revenues		(11,350,500)
Total private revenues		0
Total other state restricted revenues		(83,281,600)
State general fund/general purpose	**$**	**(31,204,200)**
Sec. 102. DEPARTMENT OF EDUCATION		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**(10,000,000)**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**(10,000,000)**
Federal revenues:		
Total federal revenues		(10,000,000)
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	**$**	**0**
(2) ONE-TIME APPROPRIATIONS		
Child care rate reduction stipend	$	(125,000,000)
Child care supports		115,000,000
GROSS APPROPRIATION	**$**	**(10,000,000)**

		For Fiscal Year Ending Sept. 30, 2021
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		(10,000,000)
State general fund/general purpose	**$**	**0**
Sec. 103. DEPARTMENT OF HEALTH AND HUMAN SERVICES		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**323,750,500**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**323,750,500**
Federal revenues:		
Total federal revenues		449,911,800
Special revenue funds:		
Total local revenues		(11,350,500)
Total private revenues		0
Total other state restricted revenues		(83,281,600)
State general fund/general purpose	**$**	**(31,529,200)**
(2) CHILDREN'S SERVICES AGENCY - CHILD WELFARE		
Adoption subsidies	$	133,200
Child care fund		3,953,600
Foster care payments		0
Guardianship assistance program		43,900
GROSS APPROPRIATION	**$**	**4,130,700**
Appropriated from:		
Federal revenues:		
Social security act, temporary assistance for needy families		434,200
Total other federal revenues		10,859,500
State general fund/general purpose	**$**	**(7,163,000)**
(3) PUBLIC ASSISTANCE		
Family independence program	$	(4,964,100)
State disability assistance payments		(2,303,100)
State supplementation		(133,500)
GROSS APPROPRIATION	**$**	**(7,400,700)**
Appropriated from:		
Special revenue funds:		
Supplemental security income recoveries		(600,000)
State general fund/general purpose	**$**	**(6,800,700)**
(4) FIELD OPERATIONS AND SUPPORT SERVICES		
Food assistance reinvestment	$	10,466,000
GROSS APPROPRIATION	**$**	**10,466,000**
Appropriated from:		
State general fund/general purpose	**$**	**10,466,000**
(5) BEHAVIORAL HEALTH SERVICES		
Autism services	$	5,014,800
Healthy Michigan plan - behavioral health		20,195,100
Medicaid mental health services		90,193,300
Medicaid substance use disorder services		(320,900)
GROSS APPROPRIATION	**$**	**115,082,300**
Appropriated from:		
Federal revenues:		
Total other federal revenues		93,581,300

		For Fiscal Year Ending Sept. 30, 2021
Special revenue funds:		
Total other state restricted revenues		(862,200)
State general fund/general purpose	**$**	**22,363,200**
(6) CHILDREN'S SPECIAL HEALTH CARE SERVICES		
Medical care and treatment	$	12,646,700
GROSS APPROPRIATION	**$**	**12,646,700**
Appropriated from:		
Federal revenues:		
Total other federal revenues		8,689,500
State general fund/general purpose	**$**	**3,957,200**
(7) MEDICAL SERVICES		
Adult home help services	$	18,534,600
Ambulance services		75,500
Auxiliary medical services		(795,700)
Dental services		(43,945,100)
Federal Medicare pharmaceutical program		(1,352,300)
Health plan services		254,109,000
Healthy Michigan plan		196,479,300
Home health services		(430,100)
Hospice services		(12,229,800)
Hospital services and therapy		(2,482,300)
Integrated care organizations		10,168,800
Long-term care services		(50,647,700)
Medicaid home- and community-based services waiver		3,357,300
Medicare premium payments		4,959,300
Personal care services		(101,400)
Pharmaceutical services		(83,602,300)
Physician services		(20,988,500)
Program of all-inclusive care for the elderly		1,416,800
School-based services		11,066,500
Special Medicaid reimbursement		(94,619,500)
Transportation		(146,900)
GROSS APPROPRIATION	**$**	**188,825,500**
Appropriated from:		
Federal revenues:		
Total other federal revenues		336,347,300
Special revenue funds:		
Total local revenues		(11,350,500)
Total other state restricted revenues		(81,819,400)
State general fund/general purpose	**$**	**(54,351,900)**
Sec. 104. DEPARTMENT OF STATE		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**13,909,000**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**13,909,000**
Federal revenues:		
Total federal revenues		13,909,000
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0

		For Fiscal Year Ending Sept. 30, 2021
State general fund/general purpose	**$**	**0**
(2) ELECTION REGULATION		
Help America vote act	$	13,909,000
GROSS APPROPRIATION	**$**	**13,909,000**
Appropriated from:		
Federal revenues:		
Help America vote act - election security		12,054,000
Help America vote act Title I, sec 101		1,025,000
Help America vote act Title II		830,000
State general fund/general purpose	**$**	**0**
Sec. 105. DEPARTMENT OF TREASURY		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**(112,675,000)**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**(112,675,000)**
Federal revenues:		
Total federal revenues		(113,000,000)
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	**$**	**325,000**
(2) FINANCIAL PROGRAMS		
Dual enrollment payments	$	325,000
GROSS APPROPRIATION	**$**	**325,000**
Appropriated from:		
State general fund/general purpose	**$**	**325,000**
(3) ONE-TIME APPROPRIATIONS		
First responder hazard pay premiums	$	(100,000,000)
First responder hazard pay premiums		40,000,000
Teacher COVID-19 grants		(53,000,000)
GROSS APPROPRIATION	**$**	**(113,000,000)**
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		(113,000,000)
State general fund/general purpose	**$**	**0**

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2019-2020

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year ending September 30, 2020 is ($31,204,200) and total state spending from state sources to be paid to local units of government is $25,915,500.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF HUMAN SERVICES		
Autism services	$	1,296,100
Child care fund		3,552,300
Healthy Michigan plan – behavioral health		1,829,500
Medicaid mental health services		19,396,900
Medicaid substance use disorder services		(159,300)
TOTAL	**$**	**25,915,500**

Sec. 202. The appropriations made and expenditures authorized under this part and the departments, commissions, boards, offices, and programs for which appropriations are made under this part and part 1, are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this article, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this article for the particular department, board, commission, officer, or institution.

DEPARTMENT OF CORRECTIONS

Sec. 301. The appropriation from coronavirus relief funds under section 302 of 2020 PA 67 for hazard/premium pay for front line workers is reduced by $13,400,000.00.

DEPARTMENT OF EDUCATION

Sec. 351. (1) From the funds appropriated in part 1 for child care supports, the department of education shall create a child care rate reduction stipend as an add-on to the child care relief fund grant to reduce child care costs to families. All licensed child care providers that receive grants from the child care relief fund are eligible to receive the additional child care rate reduction stipend. Providers are eligible to receive stipends to cover the months of June, July, and August in the 2019-2020 fiscal year and will have up to 30 days after the charged month to apply for a child care rate reduction stipend.

(2) At the time of application, licensed providers shall provide information on the amount of tuition charged to families. The department of education shall reimburse the provider up to 30% of the tuition amount charged to the family for each child cared for by the provider for the months of June, July, and August in the 2019-2020 fiscal year. Recipients of the child care rate reduction stipend must reduce their rates by the rate reimbursement percentage described in this section. The stipend is intended to cover that percentage of a parent's tuition, thus reducing the amount charged to the family. In addition to receiving the stipend, the provider must ensure that they meet the requirements of the child care relief fund for each month the provider received a child care relief fund grant. To be eligible for grants in June, July, and August the weekly rate charged to families cannot be higher than the rate charged prior to the state of emergency in March 2020. If subsequent grants are available, this provision does not apply. For the grants distributed in the June round to support child care subsidy families, the funds shall be used to provide tuition credits to families incurred in June and any remaining funds may be used for operational costs incurred due to COVID-19.

(3) As a condition of receiving a child care relief fund grant, child care providers are required to reduce the monthly billed amount to the family of each child by the amount received for each child. If the department of education determines that the provider did not provide the required tuition reduction, the department of education shall recoup the funds.

(4) The department of education shall take reasonable steps to distribute the child care reduction stipend within 15 business days of receiving an application from a provider unless the provider fails to meet the requirements of this section. The department of education shall provide notice and information to all licensed providers on how to apply for the stipend and the requirements of the program. The department of education shall take reasonable steps to ensure that providers apply for a child care rate reduction stipend. Providers shall be required to maintain all billing and refund records for a minimum of 4 years for auditing purposes.

(5) In addition to the funds allocated in subsection (1), from the funds appropriated in part 1 for child care supports, the department shall allocate funds for additional child care supports specified under this section as follows:

(a) Reimburse eligible child care providers for care provided to school-age children receiving the child care subsidy during the school day, if the children are enrolled in a virtual education program when virtual learning is the only option.

(b) Allow for a one-time increase of up to 60 absence hours for all children receiving the child care subsidy to allow families and providers to respond to COVID-related absences and closures.

(c) Provide for 1 additional round of the Child Care Relief Fund with the goal of helping providers stay open and making care more affordable for families. This round will include funds for child care rate reduction stipend for families and operational supports for providers. Providers must complete an online application to receive funding. At the time of application, licensed providers shall provide information on the number of children in care. The state shall award, at least, $200.00 per child in care. Providers must disburse these funds to families on the next tuition bill after funding is received. At the time of application, licensed providers shall also provide information on, at a minimum, provider type, licensed capacity, and star rating. These criteria shall be used to disburse funds to providers for operational expenses.

(d) Grants shall be awarded on a first come first serve basis.

(6) The unexpended funds appropriated in part 1 for child care supports are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall

be available for expenditure for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the work project is to continue to provide child care supports to families and providers in response to the COVID-19 pandemic.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $115,000,000.00.

(d) The tentative completion date is September 30, 2021.

(7) As used in this section, "licensed providers" includes licensed child care centers, licensed group homes, licensed family homes, and disaster relief child care centers.

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

Sec. 401. In addition to the funding appropriated in part 1, the department may receive and expend funding from the Volkswagen Environmental Mitigation Trust Agreement to provide support for activities outlined within this state's mitigation plan. The department shall submit a report to the senate and house appropriations subcommittees on environment, Great Lakes, and energy, the senate and house fiscal agencies, and the state budget office by September 30 on expenditures incurred under this section during the 2019-2020 fiscal year.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 451. The appropriation from coronavirus relief funds under section 302 of 2020 PA 67 for hazard/premium pay for front line workers is reduced by $8,000,000.00.

Sec. 452. The appropriation from coronavirus relief funds under section 302 of 2020 PA 67 for additional future response activities is reduced by $40,000,000.00.

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Sec. 501. The appropriation from coronavirus relief funds under section 302 of 2020 PA 67 for hazard/premium pay for front line workers is reduced by $186,000.00.

Sec. 502. The department's federal fund appropriation under section 302 of 2020 PA 67 for provider relief fund payments is increased by $1,533,000.00 to recognize additional funding appropriated in the federal coronavirus aid, relief, and economic security act, Public Law 116-136.

DEPARTMENT OF NATURAL RESOURCES

Sec. 551. The appropriation from coronavirus relief funds under section 302 of 2020 PA 67 for hazard/premium pay for front line workers is reduced by $146,000.00.

DEPARTMENT OF STATE

Sec. 601. The unexpended funds appropriated in part 1 for the help America vote act are designated as a work project appropriation. Any unencumbered or unallocated funds shall not lapse at the end of the fiscal year and shall be available for expenditure for projects under this section until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide election security improvements to the election system, equipment, and processes used in federal elections in support of local and county elections officials.

(b) The total estimated cost of the project is $13,909,000.00. Of the funds included in this project, not less than $200,000.00 shall be used to reimburse local and county elections clerks for election drop box security for the November 2020 general election.

(c) The secretary of state shall provide quarterly reports to the speaker of the house, the house minority leader, the senate majority leader, the senate minority leader, and the senate and house fiscal agencies on the status of activities funded through this project. The report shall include, but not be limited to, the status of the monthly process for eliminating deceased voters from the qualified voter file as prescribed under section 509o(4) of the Michigan election law, 1954 PA 116, MCL 168.509o.

(d) No funds from this project may be used for statewide ballot application or absentee ballot mailings, but grants to local and county election clerks for mailing-related expenses are allowed.

(e) The secretary of state shall use the information from returned mail from previous ballot application mailings for qualified voter file maintenance, in accordance with Michigan election law.

(f) The project will be accomplished by utilizing state employees, contracts with private vendors, and grants to local and county election clerks.

(g) The tentative completion date is September 30, 2024.

DEPARTMENT OF STATE POLICE

Sec. 651. The appropriation from coronavirus relief funds under section 302 of 2020 PA 67 for hazard/premium pay for front line workers is reduced by $1,400,000.00.

DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET

Sec. 701. The appropriation from coronavirus relief funds under section 302 of 2020 PA 67 for additional future response activities is reduced by $9,000,000.00.

DEPARTMENT OF TREASURY

Sec. 751. (1) There is appropriated an amount sufficient to recognize and pay refundable tax credits, tax refunds, and interest as provided by law.

(2) The appropriations under subsection (1) shall be funded by restricting tax revenue in an amount sufficient to record these expenditures.

Sec. 752. (1) From the funds appropriated in part 1 for first responder hazard pay premiums, the department of treasury shall provide grants for the payment or reimbursement of first responder hazard pay premiums provided to first responders who have performed hazardous duty or work involving physical hardship related to COVID-19 as described in this section.

(2) Eligible first responder hazard pay premium payments and reimbursements may be provided for hazard pay premiums for law enforcement officers, firefighters, emergency medical technicians (EMTs), paramedics, 9-1-1 operators, local unit of government corrections officers, airport public safety officers, and eligible personnel associated with ambulance operations licensed under section 20920 of the public health code, 1978 PA 368, MCL 333.20920. Private EMTs and paramedics that contract with municipalities or hospitals are eligible if hazard pay premiums are paid through the applicant. First responder hazard pay premium payments and reimbursements may be made as a lump sum payment or as an hourly rate enhancement. The maximum reimbursement amount shall be $1,000.00 per eligible employee. Any payment or reimbursement made under this section, whether paid as a lump sum or hourly wage enhancement, shall be of no effect in determining any employee's average compensation as provided by any contract or other provision of law. Eligible hazard pay premiums must be paid to employees by October 31, 2020 to be eligible for payment or reimbursement under this section.

(3) The department of treasury shall make available on its website all forms and information needed for applicants to apply for payments or reimbursements. Applicants will have until September 30, 2020 to apply for a payment or reimbursement. Payments and reimbursements will be made on a first-come, first-served basis, and must be made no later than 45 days after all required information is submitted.

(4) The department of treasury shall award not more than $5,000,000.00 to any applicant.

(5) The department of treasury shall provide a report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office not later than December 1, 2020. The report shall include a list by payment or reimbursement recipient of the date each was approved, the payment or reimbursement amount, and a description of the first responder hazard pay premiums, including the number of first responders covered and type of hazard pay premium covered by the payment or reimbursement.

(6) As used in this section, "applicant" means a city; village; township; county; public airport operator; ambulance operation licensed under section 20920 of the public health code, 1978 PA 368, MCL 333.20920; or a local governmental authority, intergovernmental agency, or organization that employs local public safety or local public health personnel and that was established by a city, village, township, county, or group of these for the primary purpose of providing public safety or public health services.

(7) The unexpended funds appropriated in part 1 for first responder hazard pay premiums are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the work project is to provide a payment or reimbursement of up to $1,000.00 per eligible first responder for hazardous duty or work involving physical hardship related to COVID-19.

(b) The project will be accomplished by utilizing state employees to provide payments or reimbursements to eligible applicants.

(c) The total estimated cost of the work project is $40,000,000.00.

(d) The tentative completion date is December 30, 2020.

REPEALER

Sec. 800. (1) Section 911 of 2019 PA 56 is repealed.

(2) Section 301 of 2020 PA 123 is repealed.

(3) Sections 801 and 802 of 2020 PA 144 are repealed.

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2020 and

September 30, 2021; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Rep. Shane Hernandez
Rep. Aaron Miller
Rep. Jon Hoadley
Conferees for the House

Sen. Jim Stamas
Sen. Jon Bumstead
Sen. Curtis Hertel Jr.
Conferees for the Senate

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 344 **Yeas—37**

Alexander	Geiss	MacGregor	Santana
Ananich	Hertel	McBroom	Schmidt
Barrett	Horn	McCann	Shirkey
Bayer	Irwin	McMorrow	Stamas
Bizon	Johnson	Moss	Theis
Brinks	LaSata	Nesbitt	VanderWall
Bullock	Lauwers	Outman	Victory
Bumstead	Lucido	Polehanki	Wojno
Chang	MacDonald	Runestad	Zorn
Daley			

Nays—0

Excused—1

Hollier

Not Voting—0

In The Chair: Nesbitt

Senator MacGregor moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Senators Hertel and Stamas asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hertel's statement is as follows:

Colleagues, I am proud that we are here today and voting on this conference report. Negotiating a budget and working across the aisle to compromise and come to an agreement that best reflects Michigan's values is never easy. It is certainly not made easier by a pandemic or in the middle of an election year. This budget reflects a genuine partnership between the Legislature and the Governor. Each came to the table ready to put the people of Michigan—many of whom are struggling and feeling the weight of uncertainty during this pandemic—and put them first.

I would like to thank my good friend, the Senator from the 36th District, the Appropriations Chair. I've been through many budget processes in my time here in the Senate and this was by far the most collaborative process I've been part of, and I believe it is the spirit of which Jim works that lives through documents like this—the ability to listen and the ability to work with everyone regardless of whether we agree at the beginning to find common ground and I want to thank the good Senator from the 36th District for that. I also want to thank his staff who did a tremendous amount of work on this budget, central staff for both our side and your side, the fiscal agencies that put so much work in, and of course my chief of staff who is the best chief of staff in the state and did a wonderful job in helping with these negotiations and always makes me look far better than I am.

This budget is an amazing achievement in the sense that I don't think anyone three months ago would have thought that we could have gotten here—a budget that increases funding for education, increases funding for many services that affect people every day. So even though it's a difficult process and difficult time, this proves by working together—by working in a bipartisan fashion—we can solve problems. And I want to thank my good friend across the aisle for doing that and I'm proud of the work that has been done to accomplish it today.

Senator Stamas' statement is as follows:

Colleagues, in the face of unprecedented challenges due to COVID-19, we're here today to pass a fiscal year 2021 state budget that funds key priorities and balances the deficit all without raising taxes. As I've said before, we're all in this together. By working together, we have a budget agreement that protects hardworking taxpayers, that is accountable to Michigan families, and help us build a healthy economy that benefits all.

I want to thank Senate Majority Leader Shirkey, Speaker Chatfield, Budget Director Kolb, Chairman Hernandez, my Vice Chair Senator Hertel, the members of the Senate and House Appropriations Committees, and the amazing, dedicated staff of the Senate and the Senate Fiscal Agency for all their hard work.

I have much more written, but, as my chief of staff has told me, when you have the votes, vote. Members, I ask for your vote. Thank you.

Announcements of Printing and Enrollment

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, September 22:

House Bill Nos. 4993 6162

The Secretary announced that the following bills were printed and filed on Tuesday, September 22, and are available on the Michigan Legislature website:

Senate Bill Nos. 1125 1126 1127 1128 1129 1130 1131 1132 1133 1134 1135 1136 1137 1138 1139 1140

House Bill Nos. 6240 6241 6242 6243 6244 6245 6246 6247 6248 6249 6250

Committee Reports

The Committee on Judiciary and Public Safety reported

House Bill No. 4315, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 479b (MCL 750.479b), as added by 1994 PA 33.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 4316, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 323.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 5054, entitled

A bill to amend 2014 PA 319, entitled "Sexual assault victim's access to justice act," by amending section 4 (MCL 752.954).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 5055, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15c of chapter IV (MCL 764.15c), as amended by 2001 PA 210.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 5056, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 2a, 6, and 13a (MCL 780.752a, 780.756, and 780.763a), section 2a as added and section 13a as amended by 2006 PA 461 and section 6 as amended by 2005 PA 184.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
Chairperson

To Report Out:

Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported

House Bill No. 5057, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 61b, 66, and 78a (MCL 780.811b, 780.816, and 780.828a), section 61b as added and section 78a as amended by 2006 PA 461 and section 66 as amended by 2000 PA 503.

With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
Chairperson

To Report Out:
Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Judiciary and Public Safety reported
House Bill No. 5058, entitled
A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 31a, 36, and 41a (MCL 780.781a, 780.786, and 780.791a), section 31a as added and section 41a as amended by 2006 PA 461 and section 36 as amended by 2000 PA 503.
With the recommendation that the bill pass.
The committee further recommends that the bill be given immediate effect.

Peter J. Lucido
Chairperson

To Report Out:
Yeas: Senators Lucido, VanderWall, Barrett, Johnson, Runestad, Chang and Irwin
Nays: None
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary and Public Safety submitted the following:
Meeting held on Thursday, September 17, 2020, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Lucido (C), VanderWall, Barrett, Johnson, Runestad, Chang and Irwin

The Committee on Health Policy and Human Services reported
Senate Bill No. 1021, entitled
A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16186 (MCL 333.16186), as amended by 2006 PA 398.
With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Curtis S. VanderWall
Chairperson

To Report Out:
Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Health Policy and Human Services reported
Senate Bill No. 1094, entitled
A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21717 (MCL 333.21717), as amended by 2014 PA 66, and by adding section 5145.
With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Curtis S. VanderWall
Chairperson

To Report Out:
Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald and Theis
Nays: Senator Hertel
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Health Policy and Human Services reported

House Bill No. 5827, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16651 (MCL 333.16651), as added by 2018 PA 463.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Curtis S. VanderWall
Chairperson

To Report Out:

Yeas: Senators VanderWall, Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Human Services submitted the following:

Meeting held on Thursday, September 17, 2020, at 11:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators VanderWall (C), Bizon, Johnson, LaSata, MacDonald, Theis, Brinks, Hertel, Santana and Wojno

The Committee on Families, Seniors, and Veterans reported

Senate Bill No. 983, entitled

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending section 3 (MCL 722.923), as amended by 2004 PA 560.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

John Bizon, M.D.
Chairperson

To Report Out:

Yeas: Senators Bizon, Barrett, Runestad and Zorn

Nays: Senator Bullock

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors, and Veterans reported

Senate Bill No. 1006, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 10b (MCL 400.10b), as amended by 2017 PA 13, and by adding section 14m.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

John Bizon, M.D.
Chairperson

To Report Out:

Yeas: Senators Bizon, Zorn, Bullock and Alexander

Nays: Senators Barrett and Runestad

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Families, Seniors, and Veterans reported

Senate Bill No. 1090, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 5d (MCL 552.605d), as amended by 2014 PA 380.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

John Bizon, M.D.
Chairperson

To Report Out:
Yeas: Senators Bizon, Barrett, Zorn, Bullock and Alexander
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Families, Seniors, and Veterans reported
Senate Bill No. 1091, entitled
A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 17 (MCL 552.517), as amended by 2019 PA 27, and by adding section 17f.
With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

John Bizon, M.D.
Chairperson

To Report Out:
Yeas: Senators Bizon, Barrett, Runestad, Zorn, Bullock and Alexander
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Seniors, and Veterans submitted the following:
Meeting held on Tuesday, September 22, 2020, at 8:00 a.m., Room 403, 4th Floor, Capitol Building
Present: Senators Bizon (C), Barrett, Runestad, Johnson, Zorn, Bullock and Alexander

The Committee on Transportation and Infrastructure reported
Senate Bill No. 431, entitled
A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.
With the recommendation that the substitute (S-6) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Tom Barrett
Chairperson

To Report Out:
Yeas: Senators Barrett, LaSata, Victory, Outman, Lauwers and Hollier
Nays: Senator Geiss
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported
Senate Bill No. 849, entitled
A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32723 (MCL 324.32723), as amended by 2008 PA 180, and by adding section 1708.
With the recommendation that the substitute (S-1) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Tom Barrett
Chairperson

To Report Out:
Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers and Hollier
Nays: Senator Geiss
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Transportation and Infrastructure reported
House Bill No. 4476, entitled
A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians,

and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 11c (MCL 247.661c), as amended by 2015 PA 182.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Tom Barrett
Chairperson

To Report Out:

Yeas: Senators Barrett, LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Infrastructure submitted the following:

Meeting held on Tuesday, September 22, 2020, at 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Barrett (C), LaSata, McBroom, Victory, Outman, Lauwers, Geiss, Bullock and Hollier

COMMITTEE ATTENDANCE REPORT

The Committee on Oversight submitted the following:

Meeting held on Tuesday, September 22, 2020, at 3:30 p.m., Room 403, 4th Floor, Capitol Building

Present: Senators McBroom (C), Lucido, MacDonald and Irwin

Excused: Senator Theis

COMMITTEE ATTENDANCE REPORT

The Joint Select Committee on the COVID-19 Pandemic (HCR 20) submitted the following:

Meeting held on Wednesday, September 23, 2020, at 8:15 a.m., Room 519, House Office Building,

Present: Senators Nesbitt, LaSata and Hertel

Excused: Sen. Schmidt and Hollier

COMMITTEE ATTENDANCE REPORT

The Legislative Council submitted the following:

Meeting held on Wednesday, September 23, 2020, at 9:00 a.m., Harry T. Gast Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Shirkey, Horn, Schmidt, Stamas, and Ananich

Excused: Senator Chang

COMMITTEE ATTENDANCE REPORT

The Conference Committee on FY 2020-21 General Omnibus Budget (submitted the following:
Meeting held on Wednesday, September 23, 2020, at 9:15 a.m., Harry T. Gast Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Stamas, Bumstead and Hertel.

COMMITTEE ATTENDANCE REPORT

The Conference Committee on FY 2020-21 Education Budget (SB 927) submitted the following:
Meeting held on Wednesday, September 23, 2020, at 9:30 a.m., Harry T. Gast Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Stamas (C), Schmidt and Hertel.

Scheduled Meetings

Advice and Consent - Thursday, September 24, 12:00 noon, Room 1100, Binsfeld Office Building (517) 373-5314

COVID-19 Pandemic Joint Select – Wednesday, September 30, 8:00 a.m., Room 352, House Appropriations Room, 3rd Floor, Capitol Building (517) 373-5795

Economic and Small Business Development – Thursday, September 24, 12:00 noon, Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-1721

Health Policy and Human Services – Thursday, September 24, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (517) 373-5323

Judiciary and Public Safety – Thursday, September 24, 8:30 a.m., Harry T. Gast Appropriations Room, 3rd Floor, Capitol Building (517) 373-5312

Local Government – Thursday, September 24, 1:30 p.m., Room 1100, Binsfeld Office Building (517) 373-5312

Senator MacGregor moved that the Senate adjourn.
The motion prevailed, the time being 5:24 p.m.

The President pro tempore, Senator Nesbitt, declared the Senate adjourned until Thursday, September 24, 2020, at 10:00 a.m.

MARGARET O'BRIEN
Secretary of the Senate