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BILL ANALYSIS



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Senate Bill 942 (Substitute S-1 as passed by the Senate)

Sponsor: Senator Rebekah Warren

Committee: Michigan Competitiveness

Date Completed: 8-24-16

CONTENT

The bill would amend Public Act 196 of 1989, which creates the Crime Victim's Rights Fund, to allow money in the Fund to be used for children's advocacy centers to assist children who have experienced trauma or abuse as a result of a criminal offense.

Under the Act, individuals convicted of felonies, misdemeanors, and ordinance violations are assessed penalties that accrue to the Fund. The Act requires the Crime Victims Services Commission to determine the amount of revenue needed to pay for crime victims' rights services. The Department of Health and Human Services is required to direct the State Treasurer to disburse money from the Fund for that purpose. Amounts in excess of the revenue necessary for crime victims' rights services may be used for the Statewide Trauma System, subject to a cap of \$3.5 million in any fiscal year.

The bill also would allow excess revenue to be provided to children's advocacy centers to assist in providing services to children who have experienced trauma or abuse as a result of a criminal offense. Not more than \$1.0 million could be spent from the Fund for this purpose in any fiscal year.

"Children's advocacy center" would mean that term as defined in the Children's Advocacy Center Act (an entity accredited as a child advocacy center by the National Children's Alliance or its successor agency) that allows for a law enforcement agency, prosecuting attorney, or child protective services investigator to observe a forensic interview with a child who has experienced trauma or abuse as a result of a criminal offense. A children's advocacy center also could be a place where such a child and the nonoffending caregiver may receive support, crisis intervention, and ongoing therapy for the trauma or abuse.

The bill would take effect 90 days after enactment.

MCL 780.904

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on the Department of Health and Human Services (DHHS), and no fiscal impact on local units of government. The Crime Victim's Rights Fund had a beginning balance of \$21.8 million in fiscal year (FY) 2015-16 resulting from a surplus of \$7.7 million in FY 2014-15. Projections by the DHHS show an expected surplus of \$6.9 million in FY 2015-16, indicating that there would be sufficient funding to cover the increased expenditures from the Fund for children's advocacy centers, as proposed by the bill.

Fiscal Analyst: Elynn Ackerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.