



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 941 (as introduced 10-22-09)
Sponsor: Senator Jim Barcia
Committee: Families and Human Services

Date Completed: 1-25-10

CONTENT

The bill would amend the Social Welfare Act to require the Department of Information Technology to work with the Department of Human Services (DHS) and the Michigan State Police (MSP) to do the following:

- Develop an automated program that would compare the DHS's list of public assistance recipients with information provided by the MSP regarding outstanding warrants.**
- Develop an automated program allowing the MSP to obtain the address of a public assistance recipient or an applicant.**

The bill would require the DHS to compare its list of public assistance recipients with the information provided by the MSP during January and June each year until July 2012.

Recipients Subject to Warrants

The Act prohibits the DHS from granting public assistance to an individual if it receives information from the MSP that the individual is subject to arrest under an outstanding warrant arising from a felony charge, or under an outstanding warrant for extradition arising from a criminal charge in another jurisdiction.

The bill would require the DHS Director or his or her designee, every 180 days, to review information provided by the MSP under the C.J.I.S. Policy Council Act to determine if public assistance recipients were subject to arrest under an outstanding warrant.

The bill also would require the Department of Information Technology to work with the DHS and the MSP to develop and implement an automated program that did a comparison of the DHS's list of public assistance recipients, and of any other list maintained by the DHS of individuals receiving assistance under the Social Welfare Act, with the information regarding an outstanding felony warrant or extradition warrant received by the MSP. The comparison could only include public assistance recipients. Unless otherwise prohibited by law, the comparison would have to include information regarding outstanding felony warrants or extradition warrants contained in a nonpublic record.

The DHS would have to perform this comparison during January and June each year until July 1, 2012.

The MSP would have to take all reasonable and necessary measures using the available technology to ensure the accuracy of information regarding outstanding felony warrants before transmitting the information to the DHS.

The DHS would have to take all reasonable and necessary measures using the available technology to ensure the accuracy of this comparison before notifying a local office of an outstanding felony warrant or extradition warrant. If a comparison disclosed that a public assistance recipient had an outstanding felony warrant or extradition warrant or if the MSP otherwise notified the DHS that a person had an outstanding felony warrant or extradition warrant, the DHS would have to give notice of that warrant to the local office handling the recipient's public assistance case. The local office would have to take appropriate action regarding the case.

Address of Recipients

The bill would require the Department of Information Technology to work with the DHS and the MSP to develop and implement an automated program that gave the MSP access to address information of public assistance applicants or recipients. The Department of Information Technology would have to ensure that the MSP did not have access to benefit information.

The Act requires the DHS to disclose to the MSP the address of a public assistance recipient or known member of a recipient's household if the officer furnishes the DHS with the name of the recipient or household member, certain identifying information, and information showing that the individual is subject to arrest under an outstanding warrant arising from a felony charge or an outstanding warrant for extradition arising from a criminal charge in another jurisdiction, or is a material witness in a felony case.

The officer must provide a written statement to the DHS attesting that locating or apprehending the recipient or household member is within the officer's official duties and that the address information is necessary for the officer to conduct his or her official duties.

The bill would delete the requirement that the officer provide a written statement.

MCL 400.10a et al.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would require the Department of Information Technology (DIT), Department of Human Services, and Department of State Police to develop an information technology application that would compare a list of individuals having outstanding felony warrants with those receiving assistance payments through the DHS.

There have been several estimates of cost associated with this change. In February 2009, the DHS gave the Legislature a boilerplate report that estimated the cost of this change at \$210,600 Gross. A private information technology contractor working with the DHS increased this estimate to \$394,200 Gross. Senate Bill 248 of 2009, the FY 2009-10 DHS appropriation, as passed by the Legislature provided \$250,000 GF/GP to fund this information technology change. These funds were vetoed by the Governor and are not in the FY 2009-10 DHS appropriation.

To the extent that the creation of the automated tool identified individuals inappropriately receiving benefits, there could be a reduction in DHS program costs. Research into the types of benefits that fugitive felons are likely to receive and Federal regulations governing how states may restrict these benefits suggest that any savings achieved would be small.

The costs to the DIT would be recouped via interdepartmental grants from the DHS and the MSP for any programming costs incurred by the DIT.

Fiscal Analyst: Joe Carrasco
David Fosdick

S0910\941sa

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.