

HOUSE BILL NO. 5651

April 23, 2024, Introduced by Reps. VanWoerkom, Farhat, Hoskins and Miller and referred to the Committee on Economic Development and Small Business.

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2023 PA 139 and section 8 as amended by 2014 PA 504.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) The 21st century jobs trust fund is established in
2 the department of treasury. The 21st century jobs trust fund
3 consists of donations of money made to the 21st century jobs trust
4 fund from any source and ~~both~~**all** of the following:

5 (a) To the extent provided in section 8(1) of the Michigan
6 tobacco settlement finance authority act, 2005 PA 226, MCL 129.268,

1 the net proceeds of the sale of tobacco settlement revenues to the
2 tobacco settlement finance authority under the Michigan tobacco
3 settlement finance authority act, 2005 PA 226, MCL 129.261 to
4 129.279.

5 (b) Amounts appropriated from the general fund in section
6 89b(1) of the Michigan strategic fund act, 1984 PA 270, MCL
7 125.2089b.

8 **(c) Amounts deposited in the 21st century jobs trust fund in**
9 **accordance with section 31 or 33 of the Michigan early stage**
10 **venture investment act of 2003, 2003 PA 296, MCL 125.2261 and**
11 **125.2263.**

12 (2) The state treasurer shall direct the investment of the
13 21st century jobs trust fund, which may be invested as part of the
14 common cash of this state under 1967 PA 55, MCL 12.51 to 12.53, but
15 must be separately accounted for by the state treasurer. The state
16 treasurer may invest the money or assets of the 21st century jobs
17 trust fund in any investment authorized under 1855 PA 105, MCL
18 21.141 to 21.147, for surplus funds of this state, in obligations
19 issued by any state or political subdivision or instrumentality of
20 the United States, or in any obligation issued, assumed, or
21 guaranteed by a solvent entity created or existing under the laws
22 of the United States or of any state, district, or territory of the
23 United States that are not in default as to principal or interest.
24 In addition, the state treasurer shall comply with the divestment
25 from terror act, 2008 PA 234, MCL 129.291 to 129.301, in making
26 investments under this section.

27 (3) Except as provided in subsection (4), money in the 21st
28 century jobs trust fund at the close of a fiscal year remains in
29 the 21st century jobs trust fund and does not revert to the general

1 fund.

2 (4) Interest and earnings from investment of the 21st century
3 jobs trust fund must be deposited in the general fund.

4 (5) Beginning in fiscal year 2008, and through fiscal year
5 2026, each fiscal year, \$75,000,000.00 of the tobacco settlement
6 revenue received by this state that is not considered a TSR, as
7 that term is defined under the Michigan tobacco settlement finance
8 authority act, 2005 PA 226, MCL 129.261 to 129.279, must be
9 deposited into the 21st century jobs trust fund.

10 (6) Beginning in fiscal year 2015, and through fiscal year
11 2035, each year, \$17,500,000.00 of the tobacco settlement revenue
12 received by this state that is not considered a TSR, as that term
13 is defined under the Michigan tobacco settlement finance authority
14 act, 2005 PA 226, MCL 129.261 to 129.279, must be deposited into
15 the countercyclical budget and economic stabilization fund created
16 in section 351 of the management and budget act, 1984 PA 431, MCL
17 18.1351.

18 **(7) The state treasurer shall transfer and disburse money from**
19 **the 21st century jobs trust fund in accordance with section 8.**

20 Sec. 8. **(1) ~~Upon~~ Except as otherwise provided in subsection**
21 **(2), on** request from the fund board, as **that term is** defined in
22 section 88a of the Michigan strategic fund act, 1984 PA 270, MCL
23 125.2088a, the state treasurer shall transfer and disburse
24 ~~appropriated funds~~ **money** from the 21st century jobs trust fund **on**
25 **appropriation** only for the purpose of carrying out and at the
26 specified time and as necessary to implement programs under chapter
27 8A, chapter 8B, and chapter 8C of the Michigan strategic fund act,
28 1984 PA 270, MCL 125.2088 to 125.2090d.

29 **(2) The money described in subsection (1) (c) of section 7 may**

1 be transferred and disbursed under subsection (1) only for the
2 purpose of the Michigan innovation fund program created in section
3 88u of the Michigan strategic fund act, 1984 PA 270, MCL 125.2088u.

4 Enacting section 1. This amendatory act does not take effect
5 unless all of the following bills of the 102nd Legislature are
6 enacted into law:

7 (a) Senate Bill No.____ or House Bill No. 5653 (request no.
8 05568'24).

9 (b) Senate Bill No.____ or House Bill No. 5652 (request no.
10 05569'24).

11 (c) Senate Bill No.____ or House Bill No.____ (request no.
12 05571'24).