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Act No. 123

Public Acts of 2020

Approved by the Governor

July 1, 2020

Filed with the Secretary of State

July 1, 2020

EFFECTIVE DATE: July 1, 2020

STATE OF MICHIGAN

100TH LEGISLATURE

REGULAR SESSION OF 2020

Introduced by Senator Stamas

ENROLLED SENATE BILL NO. 690

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2020, from the following funds:

APPROPRIATION SUMMARY

GROSS APPROPRIATION	$880,109,
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	$880,109,
Federal revenues:	
Total federal revenues	880,109,5
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	$0

Sec. 102. DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	$1,000,00
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION.....	$1,000,00
Federal revenues:	
Total federal revenues.....	1,000,000
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	
Double up food bucks.....	$1,000,00
GROSS APPROPRIATION.....	$1,000,00
Appropriated from:	
Federal revenues:	
Coronavirus relief fund.....	1,000,000
State general fund/general purpose.....	$0

Sec. 103. DEPARTMENT OF EDUCATION

(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION.....	$143,000,
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION.....	$143,000,
Federal revenues:	
Total federal revenues.....	143,000,0
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,
District COVID-19 costs.....	18,000,00
GROSS APPROPRIATION.....	$143,000,
Appropriated from:	
Federal revenues:	
Coronavirus relief fund.....	143,000,0
State general fund/general purpose.....	$0

Sec. 104. DEPARTMENT OF HEALTH AND HUMAN SERVICES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	$193,100,
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	$193,100,
Federal revenues:	
Total federal revenues	193,100,0
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	
COVID-19 direct care worker hazard pay adjustment	$120,000,
Food bank council of Michigan	9,000,000
Inpatient behavioral health grants	5,100,000
Multicultural integration funding	5,000,000
Personal protection equipment grants	25,000,00
Victim services continuity and stability grants	$4,000,00
Water utility assistance	25,000,00
GROSS APPROPRIATION	$193,100,
Appropriated from:	
Federal revenues:	
Coronavirus relief fund	193,100,0
State general fund/general purpose	$0

Sec. 105. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	$214,1
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	$214,1
Federal revenues:	
Total federal revenues	214,10
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	
MiOSHA COVID-19 response grants	$10,00
Rental assistance	60,000
Small business restart grants	115,00

Unemployment insurance agency	29,109
GROSS APPROPRIATION	$214,1
Appropriated from:	
Federal revenues:	
Coronavirus relief fund	185,00
DOL-ETA, unemployment insurance	29,109
State general fund/general purpose	$0

Sec. 106. DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	$1,400,00
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	$1,400,00
Federal revenues:	
Total federal revenues	1,400,000
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

Nursing facility infection control surveys	$1,400,00
GROSS APPROPRIATION	$1,400,00
Appropriated from:	
Federal revenues:	
Coronavirus relief fund	1,400,000
State general fund/general purpose	$0

Sec. 107. DEPARTMENT OF TREASURY

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	$327,500,
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	327,500,0
Federal revenues:	
Total federal revenues	$327,500,
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

Device purchasing program/distance	$25,000,0

learning.....	
First responder hazard pay premiums.....	100,000,0
Hospitality relief fund.....	2,500,000
Local units of government.....	200,000,0
GROSS APPROPRIATION.....	$327,500,
Appropriated from:	
Federal revenues:	
Coronavirus relief fund.....	327,500,0
State general fund/general purpose.....	$0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

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 the fiscal year ending September 30, 2020 is $0.00 and total state spending from state sources to be paid to local units of government is $0.00.

Sec. 202. The appropriations made and expenditures authorized under this part and part 1 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 act, 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 act for the particular department, board, commission, office, or institution.

Sec. 204. (1) Funds appropriated in part 1 are subject to applicable federal audit and reporting requirements. Prompt action shall be taken if instances of noncompliance are identified, including noncompliance identified in an audit finding. If any instance of noncompliance is identified, including noncompliance identified in an audit finding, the state budget director shall take necessary and immediate action to rectify it. The state budget director shall notify the senate and house appropriations committees and the senate and house fiscal agencies when an instance of noncompliance is identified.

(2) In a form and manner determined by the recipient department, all eligible sub-recipients receiving funds through this act must comply with all requirements corresponding to the receipt of funds required in the coronavirus aid, relief, and economic security act, Public Law 116-136, and Uniform Guidance, 2 CFR 200, as applicable, including, but not limited to, any certifications, assurances, and accountability and transparency provisions. The department responsible for administering federal funds may require any documentation necessary to ensure compliance with federal requirements.

(3) Any funds received under this act and expended by a sub-recipient in any manner that does not adhere to the coronavirus aid, relief, and economic security act, Public Law 116-136, or Uniform Guidance, 2 CFR 200, as applicable, shall be returned to the state. If it is determined that a sub-recipient receiving funds under this act expends 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 Uniform Guidance, 2 CFR 200, as applicable, the state budget director is authorized to withhold payment of state funds, in part or in whole, payable from any state appropriation.

Sec. 205. The state budget director shall report on the status of funds appropriated in part 1, and all funds appropriated related to the coronavirus relief effort, to the senate and house appropriations committees and the senate and house fiscal agencies on a monthly basis until all funds are exhausted.

DEPARTMENT OF AGRICULTURAL AND RURAL DEVELOPMENT

Sec. 251. Funds appropriated in part 1 for double up food bucks may only be used for increasing subsidies to eligible recipients and may not be used for program administration costs.

DEPARTMENT OF EDUCATION

Sec. 301. (1) From the funds appropriated in part 1 for child care rate reduction stipend, 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 current 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 current 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. The weekly rate charged to families cannot be higher than the rate charged prior to the state of emergency in March 2020.

(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) If the funds allocated for the child care rate reduction stipend are insufficient to fully fund payments under subsection (2), the department of education shall prorate payments under subsection (2).

(6) As used in this section, "licensed providers" includes licensed child care centers, licensed group homes, licensed family homes, and disaster relief child care centers.

Sec. 302. (1) From the funds appropriated in part 1 for district COVID-19 costs, the department of education shall allocate funding statewide to districts to support instructional recovery programming, benchmark assessments, or health and safety expenditures necessary to provide instruction safely due to COVID-19. An instructional recovery program eligible for funding under this section is one specifically designed to enable students to catch up and resume learning that was interrupted due to the COVID-19 outbreak. Funding shall be allocated to all districts by July 30, 2020 on an equal per-pupil basis, based on the number of pupils in membership in each district in 2019-2020.

(2) As used in this section, "district" means that definition as described in section 3 of the state school aid act of 1979, 1979 PA 94, MCL 388.1603, and includes a public school academy.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 401. (1) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay adjustment, the department of health and human services shall provide sufficient funding to increase the wages paid to direct care workers described in subsection (2) by $2.00 per hour above the rates paid on March 1, 2020 beginning July 1, 2020 through September 30, 2020.

(2) The direct care wage increase shall be provided to direct care workers employed by the department of health and human services, its contractors, and its subcontractors who received a $2.00 per hour state-funded wage increase beginning in April 2020. The total combined direct care wage increases from the April 2020 direct care wage increase and the wage increase outlined in this section shall be $2.00 per hour and shall be in effect from April 1, 2020 to September 30, 2020.

(3) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay adjustment, a direct care wage increase of $2.00 per hour shall be provided to direct care workers employed by skilled nursing facilities on the effective date of this act, beginning July 1, 2020 and continuing until September 30, 2020. This funding shall include all costs incurred by the employer, including payroll taxes, due to the $2.00 per hour increase. As used in this subsection, "direct care workers" means a registered nurse, licensed practical nurse, competency-evaluated nursing assistant, and respiratory therapist.

(4) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay adjustment, a direct care wage increase of $2.00 per hour shall be provided to direct care workers employed by area agencies on aging and its contractors for in-home and respite services on the effective date of this act, beginning July 1, 2020 and continuing until September 30, 2020. This funding shall include all costs incurred by the employer, including payroll taxes, due to the $2.00 per hour increase.

(5) Contractors and subcontractors receiving funding to support these direct care wage increases shall be required to provide documentation of the wage increases provided pursuant to this section to the department of health and human services.

(6) Any payment enhancement above the hourly rate in effect on March 1, 2020 shall be of no effect in determining any employee's average compensation as provided by any contract or other provision of law.

(7) A direct care worker may elect to not receive the wage increase provided in this section. The election to not receive the wage increase in this section must be made either in writing or electronically. The employer of a direct care worker who has elected to not receive the wage increase in this section must remit back to the state any of the funds authorized by this section based on the number of direct care workers it employs who have elected to not receive the wage increase authorized by this section.

Sec. 402. The funds appropriated in part 1 for inpatient behavioral health grants shall be distributed in a manner that is consistent with a $100.00 per diem increase to the inpatient psychiatric hospital rate adjustment (HRA) program received in the first quarter of 2020 through the Medicaid prepaid inpatient health plans. Hospitals that provide inpatient psychiatric treatment shall use these funds for necessary expenditures incurred as a result of COVID-19.

Sec. 403. (1) The funds appropriated in part 1 for victim services continuity and stability grants shall be administered by the department of health and human services, designated to the Michigan domestic and sexual violence prevention and treatment board, to support the continuing and expanded provision of victim services through the period of disruption and increased workload caused by COVID-19. Grants shall be awarded to organizations that provide victim services for victims of domestic violence, sexual assault, and stalking. Victim services organizations shall use grant funding for any of the following:

(a) Personal protection equipment (PPE), including N-95 masks, shields, gloves, sanitizer, signage, and other similar equipment.

(b) Telehealth technology and equipment.

(c) Provision of mental health and trauma recovery services.

(d) Emergency or temporary housing and shelter, including, but not limited to, using hotels for temporary shelter, expanding shelter capacity, and decreasing shelter density via other temporary or permanent means.

(e) Housing-related assistance, including, but not limited to, 1 or more of the following:

(*i*) Financial assistance, including security deposits, utility payments and setup costs, moving and storage cost assistance, and rental assistance.

(*ii*) Housing stabilization assistance, including case management, relocation assistance, outreach and engagement, landlord recruitment, housing navigation and placement, and credit repair.

(*iii*) Other services and support for homeless victims or victims who are at risk of homelessness.

(f) Employment assistance and job skills training.

(g) Safety planning and safety-related assistance.

(h) Financial assistance, including, but not limited to, the provision of prepaid phones and laptops, food or food costs, home security upgrades, funeral and burial costs for homicide victims, and assistance meeting other basic needs.

(i) Case management.

(j) Civil legal services.

(k) Substance use disorder treatment services.

(*l*) Services to support victims who are voluntarily engaging in restorative practices.

(m) Medical services or expenses, and medical or health-related services or expenses.

(n) Other services to support victims in their recovery as outlined in the grant request.

(2) The Michigan domestic and sexual violence prevention and treatment board shall award grants to organizations that have a current state contract awarded through the Michigan domestic and sexual violence prevention and treatment board. Federally recognized tribes providing services consistent with this section are also eligible. Grant awards shall be capped at a maximum amount of not more than $50,000.00. Not less than $950,000.00 shall be awarded to child advocacy centers.

(3) Not later than September 30, 2020, the department of health and human services shall provide a report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office on the number of grant applications received, the number of grants awarded, and the amount of each grant awarded by county.

(4) The unexpended funds appropriated in part 1 for victim services continuity and stability grants 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 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 support the continuing and expanded provision of victim services for victims of domestic violence, sexual assault, and stalking, through the period of disruption caused by COVID-19.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $5,000,000.00.

(d) The tentative completion date is December 30, 2020.

Sec. 404. (1) From the funds appropriated in part 1 for water utility assistance, the department of health and human services shall create a residential emergency relief program to provide direct payment assistance for all water and wastewater utilities designed to help households retain water service as an essential public health method of mitigating the spread of COVID-19.

(2) The department of health and human services shall make payments to water utility providers to reimburse them for providing bill forgiveness for all arrearages and fees incurred by residential water customers during the COVID-19 state of emergency and for providing a 25% discount on the total water bill for eligible customers through the end of December 2020. Maximum reimbursement for each arrearage is $700.00.

(3) To receive funds under this section, the local water utility provider must agree to all of the following:

(a) Not to shut off water service to residential customers in the program for a minimum of 90 days beyond the date the customer receives water utility assistance.

(b) Forgive 25% of the amount billed in water service bills, sent to residential customers before December 1, 2020, for eligible residential water customers.

(c) Take no action that affects the household’s credit score or pursue any type of collection action against the water customer.

(d) Notify the client of discount provided and bill forgiveness.

(e) Provide the benefits reimbursed under this section in addition to any assistance provided through a provider’s local water utility assistance program.

(4) To be eligible, a residential water service customer must be eligible for the food assistance program and must have accumulated new arrearages or fees after March 1, 2020 and during the COVID-19 state of emergency order.

(5) The department of health and human services may use the services of community assistance providers to implement the program and allow them to retain up to 4% for administrative expenses.

(6) The unexpended funds appropriated in part 1 for water utility assistance 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 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 reimburse water utility providers for providing bill forgiveness for arrearages and fees incurred by residential water customers during the COVID-19 state of emergency and for providing a 25% discount on the total water bill for eligible customers through the end of December 2020.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $25,000,000.00.

(d) The tentative completion date is December 30, 2020.

Sec. 405. (1) From the funds appropriated in part 1 for personal protection equipment grants, the department of health and human services shall create the personal protection equipment support and testing program to provide grants to the following priority providers:

(a) Long-term care facilities.

(b) Dialysis facilities.

(c) Outpatient facilities collecting diagnostic respiratory specimens.

(d) Dental facilities.

(e) Other outpatient facilities.

(f) Home health care.

(g) Long-term acute care hospitals.

(h) Emergency medical service providers.

(i) Pharmacies.

(j) Funeral directors and mortuary services.

(k) Residential congregate facilities.

(2) The personal protection equipment support and testing program shall include grants for personal protection equipment, COVID-19 testing, and COVID-19 testing equipment. The grants shall be applied for and disbursed in the most efficient form and manner determined by the department of health and human services.

(3) The personal protection equipment support and testing program grants shall be available for personal protection equipment, COVID-19 testing, and COVID-19 testing equipment purchased on or after March 1, 2020 in response to COVID-19.

(4) The department of health and human services shall provide a report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that includes, at a minimum, the number of grant applications received, the number of grants awarded, and a listing of individual grantees by county. The report shall be provided not later than September 30, 2020.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

Sec. 501. (1) Funds appropriated in part 1 for unemployment insurance agency shall be used by the department of labor and economic opportunity, in coordination with other approved funds, to increase capacity by an estimated 500 term-limited employees or contractors for up to 6 months, and to purchase software, equipment, and other supplies necessary for processing unemployment claims, reducing backlogs and time lags, providing customer service to claimants, and any other allowable use under federal guidelines.

(2) The unexpended funds appropriated in part 1 for unemployment insurance agency 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 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 increase capacity by an estimated 500 term-limited employees or contractors for up to 6 months, and to purchase software, equipment, and other supplies necessary for processing unemployment claims, reducing backlogs and time lags, providing customer service to claimants, and any other allowable use under federal guidelines.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $29,109,500.00.

(d) The tentative completion date is December 30, 2020.

Sec. 502. (1) From the funds appropriated in part 1 for small business restart grants, not less than $10,000,000.00 shall be appropriated for agriculture processing safety grants and not less than $5,000,000.00 for farming safety grants administered by the Michigan strategic fund to support agricultural processing plants and farms in this state for all of the following purposes:

(a) COVID-19 testing costs for tests conducted on-site, with full plant testing or through individual testing at certified testing sites, including, but not limited to, both of the following:

(*i*) Staffing to administer the tests on-site, including nurses or other appropriate medical personnel.

(*ii*) Medical personal protection equipment (PPE) for the testing site, including N-95 masks and other similar equipment.

(b) Facility and farm needs for protection against the spread of COVID-19, including, but not limited to, all of the following:

(*i*) Dividers between employees.

(*ii*) Temporary facilities to maintain social distancing recommendations, including tents, trailers, and similar facilities.

(*iii*) Increased sanitation needs, including supplies and necessary outside contracting.

(*iv*) Upgraded safety measures for farm-provided housing including employee training, daily screening, modifications or additions to maintain appropriate social distancing, increased sanitation, or any other costs associated with providing safe housing, dining, or bathroom facilities.

(c) PPE supplies, including, but not limited to, the acquisition of non-N-95 masks, shields, gloves, and signage.

(d) Establishing and conducting screening procedures, including medical staff as needed, thermometers, sanitizers, and other supplies and equipment necessary for effective, daily employee screening.

(2) The Michigan strategic fund shall begin to accept grant requests from agricultural processors and farms for grants under this section beginning no later than July 15, 2020 and award agriculture processing safety grants to those with demonstrated protection needs in a timely manner. Grant awards shall be capped at a maximum amount that equates to a total of $1,000.00 per employee. The application period for agriculture processing and farming safety grants shall only be for the period between June 1, 2020 and September 15, 2020. The Michigan strategic fund shall develop grant guidelines, obtain expenditure reports from grant recipients, and provide the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office the results of those reports not later than October 15, 2020.

(3) The unexpended funds appropriated in part 1 for small business restart grants 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 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 support agricultural processing plants and farms in this state for COVID-19 testing costs, facility and farm needs for protection against the spread of COVID-19, PPE supplies, and establishing and conducting screening procedures.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $15,000,000.00.

(d) The tentative completion date is December 30, 2020.

Sec. 503. (1) From the funds appropriated in part 1 for small business restart grants, not more than $100,000,000.00 shall be used by the Michigan strategic fund to create and operate a small business restart grant program to provide small business and nonprofit restart grants to eligible businesses and nonprofits in this state. The fund in consultation with the 15 local and nonprofit economic development organizations that in the aggregate provide services to all 83 counties and participated in the Michigan small business relief program created at the March 19, 2020 Michigan strategic fund board meeting, shall provide grants to eligible businesses and nonprofits that have realized a significant financial hardship as a result of the COVID-19 emergency. Grant applications shall be accepted, reviewed, and approved by a local or nonprofit economic development organization that previously participated in the Michigan small business relief program created at the March 19, 2020 Michigan strategic fund board meeting, or its designee. A base amount of $3,500,000.00 must be awarded by each of the 15 local and nonprofit economic development organizations, or their designee selected to award grants to eligible business and nonprofits. The Michigan strategic fund, in consultation with the local and nonprofit economic development organizations, or their designee, shall determine a fair method for distributing the remaining funds. A local or nonprofit economic development organization, or its designee, may retain up to 5% of the amount it receives for awards for administration, of which the Michigan strategic fund may retain not more than $1,000,000.00 for administration.

(2) Grants made available to eligible businesses and nonprofits under the program must meet all of the following conditions:

(a) Must only be made available to eligible businesses and nonprofits that have 50 or fewer employees.

(b) Must not exceed $20,000.00.

(c) Must only be used for working capital to support payroll expenses, rent, mortgage payments, utility expenses, costs related to reopening a business, or other uses authorized under the coronavirus aid, relief, and economic security act, Public Law 116-136.

(d) Must not be provided to an eligible business that previously received a grant under the Michigan small business relief program created at the March 19, 2020 Michigan strategic fund board meeting.

(3) Not less than 30% of the funds awarded under the small business restart grant program in subsection (1) shall be provided to women-owned, minority-owned, and veteran-owned eligible businesses.

(4) Any funds not awarded by September 30, 2020 must revert back to the Michigan strategic fund. The Michigan strategic fund must reallocate and redistribute any funds received under this subsection to the 15 local and nonprofit economic development organizations under subsection (1) in a manner determined by the Michigan strategic fund. Funds redistributed under this subsection must comply with the provisions of the small business restart grant program under this section.

(5) The Michigan strategic fund must develop and post on the Michigan strategic fund website application, program operation, award, and reporting criteria for the program.

(6) The Michigan strategic fund shall submit a monthly report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that provides a listing of grants awarded in the previous month and the name of the recipient of each grant provided under the program. The Michigan strategic fund shall submit a summary of all grants awarded under the program over the course of the current fiscal year by September 30, 2020.

(7) As used in this section:

(a) “Eligible business” means a business that meets all of the following:

(*i*) Is in an industry that demonstrates it is affected by the COVID-19 emergency.

(*ii*) Needs working capital to support payroll expenses, rent, mortgage payments, utility expenses, or other similar expenses.

(*iii*) Demonstrates an income loss as a result of the COVID-19 emergency as determined by the Michigan strategic fund.

(b) “Nonprofit” means a nonprofit entity that meets all of the following:

(*i*) Demonstrates it is affected by the COVID-19 emergency.

(*ii*) Needs working capital to support payroll expenses, rent, mortgage payments, utility expenses, or other similar expenses.

(*iii*) Demonstrates an income loss as a result of the COVID-19 emergency as determined by the Michigan strategic fund.

(c) “Small business restart grant” or “grant” means a small business relief grant made to an eligible business under this section.

(8) The unexpended funds appropriated in part 1 for small business restart grants 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 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 provide a grant of up to $20,000.00 per eligible business or nonprofit for expenses related to the COVID-19 emergency.

(b) The projects will be accomplished by utilizing state employees and local and nonprofit economic development organizations to provide payments or reimbursements to eligible businesses and nonprofits.

(c) The total estimated cost of the work project is $100,000,000.00.

(d) The tentative completion date is December 30, 2020.

Sec. 506. (1) From the funds appropriated in part 1 for rental assistance, the department of labor and economic opportunity shall collaborate with the department of health and human services, the judiciary, local community action agencies, and legal aid organizations to create a rental assistance program.

(2) Not more than $4,000,000.00 shall be distributed in grants to legal aid organizations for legal services provided as part of the program.

(3) Not more than $4,000,000.00 shall be distributed to local community action agencies for program case management staff and related costs.

(4) Not more than $2,000,000.00 shall be allocated to the department of labor and economic opportunity for administrative costs and to support a public awareness campaign.

(5) Remaining funds appropriated under this section shall be used to pay for rent arrearages and rent subsidies to minimize evictions due to economic hardship due to COVID-19 in a rental assistance program that does all of the following:

(a) Offers voluntary participation on the part of landlords.

(b) Works within the procedures created by the Michigan supreme court and state court administrative office to assist in preventing evictions.

(c) Creates a structured payment program for COVID-19 rent debt under which landlords would agree to the following:

(*i*) To receive partial payment in exchange for direct payment.

(*ii*) Not to evict a resident who is successfully making payments under the payment plan.

(*iii*) To waive fees and penalties.

(*iv*) Not to initiate any action that would affect the credit report of the renter or to pursue collections for the period covered under the payment program.

(6) The unexpended funds appropriated in part 1 for rental assistance 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 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 create a rental assistance program, which includes legal services, program case management, a public awareness campaign, and payment of rent arrearages and rent subsidies to minimize evictions due to economic hardship due to COVID-19.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $60,000,000.00.

(d) The tentative completion date is December 30, 2020.

Sec. 507. (1) From the funds appropriated in part 1 for MiOSHA COVID-19 response grants, the department of labor and economic opportunity shall allocate funding to support all of the following:

(a) Not less than $8,550,000.00 for a voluntary grant program of up to $10,000.00 for employers with 250 or fewer employees companywide who are under the jurisdiction of MiOSHA to purchase safety and health-related equipment for COVID-19 response including training, supplies and materials for risk mitigation, such as hygiene stations, and personal protection equipment, including masks. Applicants must provide a detailed expense summary of use of grant funding.

(b) Not more than $1,000,000.00 for a COVID-19 workplace safety public awareness campaign to educate employers and employees.

(c) Not more than $450,000.00 to partner with a state university to do all of the following:

(*i*) Create a web-based application to enable widespread COVID-19 symptom tracking data to be collected across the state. The application must allow individuals to voluntarily input their data, either electronically or as determined by the employer, and can be used to do all of the following:

(A) Assist the department of health and human services with early identification of potential outbreaks within households, neighborhoods, workplaces, and geographic locations.

(B) Direct individuals who display symptoms toward the best and most responsible course of action, including, but not limited to, self-isolation, contacting their physician, or going to a testing site for testing.

(C) Enable individuals and employers to know if someone in the workplace has COVID-19-like symptoms.

(*ii*) Create a robust and integrated data pipeline with inputs from the following:

(A) The department of health and human services COVID-19 data, including, but not limited to, cases, deaths, and percent tested positive.

(B) The COVID-19 symptom tracking application created under this section.

(C) Information about health care capacity to build susceptible, infected, and recovered with immunity (SIR) epidemiological models to forecast cases and deaths within county and Michigan economic recovery council region, as well as perform spatial modeling to identify potential new outbreaks.

(*iii*) Create dashboards for the state to display information from the integrated data set.

(2) The unexpended funds appropriated in part 1 for MiOSHA COVID-19 response grants 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 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 purchase safety and health-related equipment for COVID-19 response and risk mitigation, to educate employers and employees, and to partner with a state university to create a web-based application to enable widespread COVID-19 symptom tracking data to be collected across the state.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $10,000,000.00.

(d) The tentative completion date is December 30, 2020.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

Sec. 551. (1) From the funds appropriated in part 1 for nursing facility infection control surveys, the department of licensing and regulatory affairs shall allocate funding for limited-term bureau of community and health systems staff to conduct state infection control surveys in skilled nursing facilities and, if necessary, to connect nursing facilities with the department of health and human services public health division to provide the necessary training and education to the facility staff and clinicians to maintain infection control practices that mitigate the spread of COVID-19 infections.

(2) The unexpended funds appropriated in part 1 for nursing facility infection control surveys 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 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 for limited-term bureau of community and health systems staff to conduct state infection control surveys in skilled nursing facilities.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $1,400,000.00.

(d) The tentative completion date is December 30, 2020.

DEPARTMENT OF TREASURY

Sec. 601. (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 September 30, 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, and ambulance operation licensed under section 20920 of the public health code, 1978 PA 368, MCL 333.20920.

(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 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 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 $100,000,000.00.

(d) The tentative completion date is December 30, 2020.

Sec. 602. (1) Funds appropriated in part 1 for device purchasing program/distance learning shall be allocated to the Michigan Association of Intermediate School Administrators (MAISA) for the device purchasing program and distance learning. Funds received under this section are to be used for the coordination and incentivizing of strategic purchasing of devices for use by students at home and in the school environment and to address immediate access and connectivity issues for students, families, and community members who do not have internet access, with a goal of expanding access over the next 3 to 6 months.

(2) The MAISA shall use the funds to make devices for student use at home and at school affordable for all Michigan K-12 districts through a statewide device purchase program. The program shall provide a financial incentive for each device purchased through the SPOT Bid, making an affordable, efficient, and competitively bid device even more accessible. Incentives shall be available to all Michigan districts that purchase through the SPOT Bid. Larger incentives shall be directed to schools with low device saturation in student homes and greater poverty in order to close the technology resource gap that exists in Michigan communities.

(3) To receive funds from this program, a district must meet all of the following:

(a) The district agrees to limit the spending of incentive funds to technology efforts, including, but not limited to, the following:

(*i*) Network services.

(*ii*) Computer or device purchasing.

(*iii*) Wireless or wireline connectivity.

(*iv*) Online or digital curriculum.

(*v*) Supporting cybersecurity efforts and practices in the implementation of extended Wi-Fi and network access.

(b) The district agrees to make any incentivized devices available to students for home and school use to ensure continuity of learning.

(c) Districts shall spend all incentive funds on technology efforts in the fiscal year they are received.

(d) The district agrees to provide only 1 device per student with incentives supported by funding in this section.

(e) The district agrees not to spend incentive funds to construct new or extend existing fiber networks within a public right-of-way.

(f) The district agrees any request for proposals or solicitations to purchase devices or services shall be technology neutral.

(4) When allocating incentives, for a district that receives funding from the Michigan department of education under section 18003 of division B of the coronavirus aid, relief, and economic security act, Public Law 116-136, the MAISA shall recognize that payment and reduce that district's requested incentives accordingly if the district has not already recognized that funding in its request for incentives.

(5) The Michigan Association of Intermediate School Administrators shall use funds to expand access and connectivity by doing the following:

(a) Extending Wi-Fi in the parking lots of community anchor institutions including schools and libraries.

(b) Equipping school buses with cellular or satellite Wi-Fi to provide access in particularly challenged areas.

(c) Offering low-income families the ability to purchase up to 1 additional device per family through the incentive program described in this section.

(d) Coordinating with service providers to assist low-income families in connecting to existing services where available and appropriate.

(e) Supporting cybersecurity efforts and practices in the implementation of extended Wi-Fi and network access.

(6) Not later than January 1, the Michigan Association of Intermediate School Administrators shall prepare a summary report including measurable outcomes based on program objectives. The report shall include a summary of devices purchased through this program by district to provide a means to evaluate the effectiveness of the program and shall include a plan for program sustainability beyond the funded window. MAISA shall submit the report to the senate and house appropriations subcommittees responsible for school aid and to the senate and house fiscal agencies.

(7) 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, an intermediate school district as that term is defined in section 4 of the revised school code, 1976 PA 451, MCL 380.4, 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) "Low-income family" means the family of any student who qualifies for free- or reduced-price school meals.

(8) The unexpended funds appropriated in part 1 for device purchasing program/distance learning 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 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 for the coordination and incentivizing of strategic purchasing of devices for use by students at home and in the school environment.

(b) The projects will be accomplished by utilizing contracts.

(c) The total estimated cost of the work project is $25,000,000.00.

(d) The tentative completion date is December 30, 2020.

Sec. 603. (1) Funds appropriated in part 1 for hospitality relief fund shall be allocated to a hospitality relief fund operated by a statewide organization representing Michigan restaurants that existed on April 1, 2020.

(2) The hospitality relief fund shall be used to provide grants of up to $500.00 to individuals who were employed in the hospitality industry in Michigan as of March 10, 2020 and who can demonstrate need by certifying all of the following:

(a) The applicant is currently furloughed or laid off or was previously furloughed or laid off due to COVID-19.

(b) The applicant has not previously received money from any association sponsored relief fund.

(c) The applicant is a resident of this state.

(d) The applicant has, in good faith, been financially negatively impacted by COVID-19.

(3) The statewide organization representing Michigan restaurants that operates the hospitality relief fund created under this section shall provide a report on expenditures to the senate and house appropriations committees, the senate and house fiscal agencies, the state budget office, and the state treasurer by August 15, 2020. At a minimum, the report shall include the total amount of grants awarded and the number of individuals that received grant funding.

Sec. 604. (1) From the funds appropriated under part 1 for local units of government, the department of treasury shall make payments to counties, cities, villages, and townships, other than those that received a direct allocation from the coronavirus aid, relief, and economic security act, Public Law 116-136, to reimburse them for eligible public safety and public health payroll expenditures under the coronavirus aid, relief, and economic security act, Public Law 116-136.

(2) To receive funds under this act, not later than July 17, a local unit of government must submit, in a form and manner described by the department of treasury, their eligible public safety and public health payroll expenditures incurred for the months of April and May. Any submissions received by the department of treasury after the due date for submission shall not receive a distribution under this subsection but shall be considered for any possible distributions under subsection (3). The department of treasury shall determine each local unit’s allocation based on the local unit of government’s expenditures submitted. If eligible submitted expenditures exceed the appropriation, payments must be prorated based on each local unit of government’s proportionate share of expenditures submitted under this subsection. The department of treasury shall distribute funds no later than September 18.

(3) If funds remain after payments are made under subsection (2), the department of treasury must announce the opening of a second round of reimbursements. A local unit of government must submit, in a form and manner described by the department of treasury, their eligible public safety and public health payroll expenditures incurred for the months of June and July not later than September 8. The department of treasury shall determine each local unit’s allocation based on the local unit of government’s expenditures submitted. If eligible submitted expenditures exceed the appropriation, payments must be prorated based on each local unit of government’s proportionate share of expenditures submitted under this section. The department of treasury shall distribute funds within 60 days of the submission date in this section.

(4) Expenditures are not eligible for reimbursement under this section if such expenses have been or will be reimbursed by any other federal funds.

(5) The unexpended funds appropriated in part 1 for local units of government 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 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 reimburse local units of government for eligible public safety and public health payroll expenditures under the coronavirus aid, relief, and economic security act, Public Law 116-136.

(b) The projects will be accomplished by utilizing state employees or by contracts.

(c) The total estimated cost of the work project is $200,000,000.00.

(d) The tentative completion date is December 30, 2020.

This act is ordered to take immediate effect.

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