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2019 MI H 4729	**Author:** Hernandez **Version:** Enacted - Public Act **Version Date:** 03/30/2020

Act No. 67

Public Acts of 2020

Approved by the Governor

March 30, 2020

Filed with the Secretary of State

March 30, 2020

EFFECTIVE DATE: March 30, 2020

STATE OF MICHIGAN

100TH LEGISLATURE

REGULAR SESSION OF 2020

Introduced by Reps. Hernandez, Afendoulis, Anthony, Bellino, Berman, Bolden, Bollin, Brann, Brixie, Byrd, Cambensy, Camilleri, Tyrone Carter, Cherry, Chirkun, Coleman, Elder, Ellison, Frederick, Garrett, Garza, Gay-Dagnogo, Glenn, Greig, Griffin, Guerra, Haadsma, Hall, Hammoud, Hauck, Hertel, Hoadley, Hoitenga, Hood, Hornberger, Howell, Huizenga, Iden, Inman, Cynthia Johnson, Kahle, Kennedy, Koleszar, Kuppa, Lasinski, Leutheuser, Lightner, Love, Manoogian, Mueller, Cynthia Neeley, Peterson, Pohutsky, Rabhi, Rendon, Sabo, Shannon, Sheppard, Slagh, Sneller, Sowerby, Stone, Tate, Vaupel, Wakeman, Warren, Wendzel, Wentworth, Whiteford, Witwer and Yaroch

ENROLLED HOUSE BILL NO. 4729

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; to provide for certain conditions on appropriations; 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 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	$125,000,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	$125,000,000
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted	0

revenues.....	
State general fund/general purpose.....	$125,000,000

Sec. 102. DEPARTMENT OF HEALTH AND HUMAN SERVICES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	$50,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION.....	$50,000
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.....	$50,000

(2) ONE-TIME APPROPRIATIONS

Coronavirus public health emergency - health care capacity.....	$50,000
GROSS APPROPRIATION.....	$50,000
Appropriated from:	
State general fund/general purpose.....	$50,000

Sec. 103. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	$75,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION.....	$75,000
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.....	$75,000

(2) ONE-TIME APPROPRIATIONS

Coronavirus public health emergency.....	$40,000
Coronavirus response fund.....	35,000,
GROSS APPROPRIATION.....	$75,000
Appropriated from:	
State general fund/general purpose.....	$75,000

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 2019-2020 is $125,000,000.00. State spending from state sources to be paid to local units of government under part 1 is $0.00.

Sec. 202. The appropriations made and the expenditures authorized under this part and part 1 and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under 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, officer, or institution.

Sec. 204. (1) The office of the auditor general shall audit the use of the funds appropriated in part 1 for coronavirus public health emergency - health care capacity, coronavirus public health emergency, and coronavirus response fund and report to the chairs of the senate and house of representatives committees on appropriations at a minimum of every month on the appropriateness of the preceding month's expenditures until the funds are expended.

(2) In accordance with section 53 of article IV of the state constitution of 1963, section 1 of 2003 PA 1, MCL 13.101, and section 6a of 1846 RS 8, MCL 8.6a, both of the following apply:

(a) A person may not interfere with, prevent, or prohibit the auditor general from carrying out its duties.

(b) All departments, state agencies, committees, commissioners, or officers of this state and any political subdivision of this state, so far as is compatible with their duties, shall give the auditor general any necessary assistance required by the auditor general in the performance of his or her duties.

(3) Not later than September 30, the auditor general shall provide a detailed report to the governor, the department of technology, management, and budget, the secretary of the senate, the clerk of the house of representatives, and the chairpersons of the senate and house of representatives committees on appropriations. The report shall contain all of the following:

(a) Details of the auditor general's services related to its review of the coronavirus public health emergency - health care capacity, coronavirus public health emergency, and coronavirus response fund for the current fiscal year.

(b) Details of findings of fraud, waste, or abuse of these state appropriations.

(c) Recommendations for corrective actions by any governmental entities.

Sec. 205. The state budget director shall report on the status of funds appropriated in part 1 to the chairs of the house and senate appropriations committees on a biweekly basis through September 30, 2020.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 251. The funds appropriated in part 1 for the coronavirus public health emergency - health care capacity shall be distributed to critical health care providers in this state, in amounts and by a method approved by the state budget director and the director of the department of health and human services, for expenditure by those providers to expand capacity for the health care response to the respiratory virus coronavirus-19 (COVID-19). The state budget office shall report to the senate and house appropriations committees, relevant senate and house appropriations subcommittees, and senate and house fiscal agencies no later than June 30, 2020 and September 30, 2020 on the types of activities supported with the funds, and the amount of funds expended to date.

DEPARTMENT OF TECHNOLOGY MANAGEMENT, AND BUDGET

Sec. 301. (1) The coronavirus response fund is created within the state treasury.

(2) From the funds appropriated in part 1 for the coronavirus response fund, $35,000,000.00 shall be deposited into the coronavirus response fund.

(3) Funds may only be spent from the coronavirus response fund upon appropriation, or legislative transfer pursuant to section 393 of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) Interest and earnings from the investment of funds deposited in the coronavirus response fund shall be deposited in the general fund.

(5) Funds in the coronavirus response fund at the close of a fiscal year shall remain in the coronavirus response fund and shall not lapse to the general fund.

Sec. 302. (1) Federal revenues authorized by and available from the federal government for the respiratory virus coronavirus-19 (COVID-19) public health emergency and related economic response are appropriated to departments for state and local preparedness and response activities. 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 chairs of the senate and house of representatives appropriations subcommittees that have jurisdiction over the expended funds and the senate and house fiscal agencies within 10 days after the approval.

(2) This section shall remain in effect for no longer than 90 days after the effective date of this act.

Sec. 303. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $35,000,000.00 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.

This act is ordered to take immediate effect.

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