Act No. 2
Public Acts of 2021
Approved by the Governor*
March 9, 2021
Filed with the Secretary of State
March 9, 2021
EFFECTIVE DATE: March 9, 2021

* Item Vetoes

Sec. 103. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

(2) ONE-TIME APPROPRIATIONS	
Michigan unemployment compensation funds	150,000,000

Sec. 104. DEPARTMENT OF TREASURY

(2) ONE-TIME APPROPRIATIONS	
Afflicted business tax and fee relief	405,000,000

Sec. 303.
Entire Section.

Sec. 401.
Entire Section.

Sec. 402.
Entire Section.

Sec. 403.
Entire Section.

Sec. 404.
Entire Section.

Sec. 405.
Entire Section.

Sec. 405a.
Entire Section.

STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021

Introduced by Reps. Beson, Albert and Yaroch

ENROLLED HOUSE BILL No. 4047

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; 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, 2021, from the following funds:

APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**2,309,368,700**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**2,309,368,700**
Federal revenues:		
Total federal revenues		1,677,368,700
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	**$**	**632,000,000**
Sec. 102. DEPARTMENT OF HEALTH AND HUMAN SERVICES		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**1,449,787,000**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**1,449,787,000**
Federal revenues:		
Total federal revenues		1,394,787,000

		For Fiscal Year Ending Sept. 30, 2021
Special revenue funds:		
Total local revenues	**$**	0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	**$**	**55,000,000**
(2) PUBLIC ASSISTANCE		
Food assistance program benefits	$	600,000,000
GROSS APPROPRIATION	**$**	**600,000,000**
Appropriated from:		
Federal revenues:		
Total other federal revenues		600,000,000
State general fund/general purpose	**$**	**0**
(3) ONE-TIME APPROPRIATIONS		
Community substance use disorder prevention, education, and treatment	$	17,400,000
COVID-19 direct care worker hazard pay adjustment		150,000,000
Federal congregate and home-delivered meals funding		1,330,200
Federal COVID epidemiology and laboratory capacity		207,500,000
Federal COVID epidemiology and laboratory capacity contingent fund		347,327,300
Federal COVID immunization and vaccine grant reserve fund		110,239,800
Federal mental health block grant		15,989,700
GROSS APPROPRIATION	**$**	**849,787,000**
Appropriated from:		
Federal revenues:		
Total other federal revenues		794,787,000
State general fund/general purpose	**$**	**55,000,000**
Sec. 103. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**432,581,700**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**432,581,700**
Federal revenues:		
Total federal revenues		282,581,700
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	**$**	**150,000,000**
(2) ONE-TIME APPROPRIATIONS		
Emergency rental assistance	$	220,302,200
Emergency rental assistance – administrative costs		62,279,500
Michigan unemployment compensation funds		150,000,000
GROSS APPROPRIATION	**$**	**432,581,700**
Appropriated from:		
Federal revenues:		
Total federal revenues		282,581,700
State general fund/general purpose	**$**	**150,000,000**
Sec. 104. DEPARTMENT OF TREASURY		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	**$**	**427,000,000**
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	**$**	**427,000,000**

		For Fiscal Year Ending Sept. 30, 2021
Federal revenues:		
Total federal revenues	**$**	0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	**$**	**427,000,000**
(2) ONE-TIME APPROPRIATIONS		
Afflicted business tax and fee relief	$	405,000,000
Property tax – delinquent tax penalty/interest waiver		22,000,000
GROSS APPROPRIATION	**$**	**427,000,000**
Appropriated from:		
State general fund/general purpose	**$**	**427,000,000**

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 fiscal year ending September 30, 2021 is $632,000,000.00 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. It is the intent of the legislature that a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

DEPARTMENT OF CORRECTIONS

Sec. 231. (1) It is the intent of the legislature that the department of corrections work with the office of the state employer and officials from the Michigan corrections organization to resolve the issue of corrections officers and other affected field staff having to expend personal sick and annual leave time when the department requires corrections officers and other field staff to quarantine after having close contact with an individual who may be infected with the COVID-19 virus.

(2) It is the intent of the legislature that up to 80 hours of personal sick and annual leave time be restored for corrections officers and other affected field staff, consistent with provisions included in the family first coronavirus response act, Public Law 116-127, that were implemented for employer-required quarantines.

(3) The department shall submit a report by April 1 to the senate and house appropriations subcommittees, the senate and house fiscal agencies, and the state budget office on details of the agreed-upon resolution, or an explanation as to why a resolution could not be reached. The report shall include an estimate of costs associated with restoring 80 hours of personal sick and annual leave time for corrections officers and other affected field staff.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 251. (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, including any applicable federal match, to increase the wages paid to direct care workers described in subsection (2) by $2.25 per hour above the rates paid on March 1, 2020 beginning March 1, 2021 through September 30, 2021.

(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 February 28, 2021 and $2.25 per hour and shall be in effect from March 1, 2021 through September 30, 2021.

(3) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay adjustment, a direct care wage increase of $2.25 per hour shall be provided to direct care workers employed by skilled nursing facilities on the effective date of this act, beginning March 1, 2021 and continuing until September 30, 2021. This funding shall include all costs incurred by the employer, including payroll taxes, due to the $2.25 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 $2.25 per hour shall be provided to direct care workers employed by area agencies on aging and their contractors for in-home and respite services on the effective date of this act, beginning March 1, 2021 and continuing until September 30, 2021. This funding shall include all costs incurred by the employer, including payroll taxes, due to the $2.25 per hour increase.

(5) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay adjustment, a direct care wage increase of $2.25 per hour shall be provided to direct care workers employed by licensed adult foster care homes and licensed homes for the aged who were not eligible for any COVID-19 direct care worker pay adjustment under any other subsection of this section. The $2.25 per hour increase described in this subsection shall begin on March 1, 2021 and continue until September 30, 2021. This funding shall include all costs incurred by the employer, including payroll taxes, due to the $2.25 per hour increase.

(6) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay adjustment, a direct care wage increase of $2.25 per hour shall be provided to direct support employees and job coaches who work in supported employment arrangements and who were not eligible for any COVID-19 direct care worker pay adjustment under any other subsection of this section. The $2.25 per hour increase described in this subsection shall begin on March 1, 2021 and continue until September 30, 2021. This funding shall include all costs incurred by the employer, including payroll taxes, due to the $2.25 per hour increase.

(7) 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 front line workers employed by child caring institutions. The $2.00 per hour increase described in this subsection shall begin on March 1, 2021 and continue until June 30, 2021. 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 section, a "child caring institution" means that term as defined in 1973 PA 116, MCL 722.111 to 722.128.

(8) 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.

(9) 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.

(10) 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. 252. (1) From the funds appropriated in part 1 for federal COVID epidemiology and laboratory capacity, the department of health and human services shall allocate not less than $37,500,000.00 for eligible school districts, public school academies, intermediate school districts, and nonpublic schools as provided in this section, not less than $20,000,000.00 shall be allocated for Michigan department of corrections testing, and not less than $25,000,000.00 shall be allocated for testing at licensed skilled nursing facilities.

(2) From the funds appropriated in subsection (1) for eligible school districts, public school academies, intermediate school districts, and nonpublic schools, the department of health and human services shall work with the department of education to distribute, on an equitable basis, necessary coronavirus testing and contact

tracing supplies and equipment to eligible entities based on the headcount each of those entities reported to the center for educational performance and information as of the most recent headcount data submission and the supplies and equipment shall be used for coronavirus testing and contact tracing staff and students including, but not limited to, teachers, counselors, administrators, support staff, aides, bus drivers, coaches, cafeteria staff, custodians, students playing contact sports, and other students as determined by the entity.

(3) To be eligible to receive funding under this section, a school district, public school academy, or nonpublic school must offer at least 6 hours of instruction in person per week. An intermediate school district is eligible for funding under this section if the intermediate school district has an average of all staff working at least 1 day per week in person at the intermediate school district, at the school districts that are constituents of the intermediate school district, or both.

Sec. 253. From the funds appropriated in part 1 for community substance use disorder prevention, education, and treatment, the department of health and human services shall provide grants, pursuant to federal laws, rules, and regulations, to local public entities that provide substance use disorder services and to 1 private entity that has a statewide contract to provide community-based substance use disorder services.

Sec. 254. From the funds appropriated in part 1 for federal mental health block grant, the department of health and human services shall provide grants, pursuant to federal laws, rules, and regulations, to local public entities that provide mental health services and to 1 private entity that has a statewide contract to provide community-based mental health services.

Sec. 255. (1) From the funds appropriated in part 1 for federal COVID immunization and vaccine grant reserve fund, the department of health and human services shall allocate $36,746,600.00 to manage the administration of a coronavirus vaccine to all Michigan residents through financial support to local health departments and other health care providers.

(2) The funds appropriated in part 1 for federal COVID immunization and coronavirus vaccine grant reserve fund, not allocated in subsection (1), shall not be expended unless a legislative transfer request is issued by the state budget office and the requirements of the legislative transfer process are met under section 393 of the management and budget act, 1984 PA 431, MCL. 18.1393.

(3) Prior to issuing a legislative transfer request under this section, the department shall first do both of the following:

(a) Demonstrate the funds appropriated in 2020 PA 257 for coronavirus vaccine strategy have been expended.

(b) Provide a report to the house and senate appropriations committees, the house and senate fiscal agencies, and the state budget office to illustrate how the requested funds would be utilized.

Sec. 256. (1) The department of health and human services shall report on a weekly basis to the senate and house appropriations committees, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on all of the following:

(a) The metrics used for calculating vaccine distribution to local health departments and enrolled providers and an analysis by county that shows how allocations were calculated.

(b) The number of vaccines distributed during the previous week to each local health department and enrolled provider. The number of vaccines distributed under this subdivision must be listed for each local health department and for each enrolled provider.

(c) The estimated number of vaccines to be distributed during the current week to each local health department and enrolled provider. The estimated number of vaccines to be distributed under this subdivision must be listed for each local health department and for each enrolled provider.

(d) The estimated number of vaccines to be distributed next week to each local health department and enrolled provider. The estimated number of vaccines to be distributed under this subdivision must be listed for each local health department and for each enrolled provider.

(e) The number and estimated percentage of individuals vaccinated, categorized by each vaccination phase.

(f) The number and estimated percentage of individuals residing or working in nursing homes that have been vaccinated.

(g) The number and estimated percentage of individuals 65 years of age and older that have been vaccinated.

(h) The total amount that has been expended from the funds appropriated in part 1 for federal COVID immunization and vaccine distribution and administration. The amount described in this subdivision shall be broken down by state general funds and federal funds.

(2) The reports required by this section must be made accessible to the public by placing the reports on an internet site.

Sec. 257. (1) By April 1, 2021, the department of health and human services shall report to the senate and house appropriations committees, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the formula, or other detailed methodology, used to distribute vaccines to each local health department and each enrolled provider. The report must also include an example of how the formula, or other detailed methodology, would distribute a statewide total of 100,000 vaccines to each local health department and each enrolled provider.

(2) Within 1 business day of any changes made by the department of health and human services to the formula, or other detailed methodology, used to distribute vaccines to each local health department and each enrolled provider, the department of health and human services shall report to the senate and house appropriations committees, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the changes made to the formula, or other detailed methodology, used to distribute vaccines to each local health department and each enrolled provider, the rationale for the change to the formula, or other detailed methodology, used to distribute vaccines to each local health department and each enrolled provider, and an example of how the revised formula, or other detailed methodology, would distribute a statewide total of 100,000 vaccines to each local health department and each enrolled provider.

(3) By April 1, 2021, the department of health and human services shall report to the senate and house appropriations committees, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the advantages and disadvantages of incorporating a specific minimum, or baseline, number of vaccines to be distributed on a weekly basis for each specific local health department and enrolled provider.

(4) The reports required by this section must be made accessible to the public by placing the reports on an internet site.

Sec. 258. No later than 30 days after the enactment of this act, the department shall expand its COVID-19 vaccination distribution to include independent pharmacy networks, specifically those in rural areas, to increase access to COVID-19 vaccination across this state.

Sec. 259. A recipient of a COVID-19 vaccine administered from the funds appropriated in part 1 for federal COVID immunization and vaccine grant reserve fund shall be provided with information or informed if and in what manner the development of the vaccine utilized aborted fetal tissue or human embryonic stem cell derivation lines.

Sec. 261. The funds appropriated in part 1 for federal COVID epidemiology and laboratory capacity contingent fund must not be spent or otherwise distributed unless Senate Bill No. 1 of the 101st Legislature is enacted into law and takes effect within 14 days after Senate Bill No. 1 is presented to the governor.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

Sec. 301. (1) Funds appropriated in part 1 for emergency rental assistance shall be administered by the terms set forth in section 501(a) of Division N of the Consolidated Appropriations Act, 2021, Public Law 116-260, authorizing the United States Department of Treasury to make payments to certain recipients to be used to provide emergency rental assistance.

(2) The department of labor and economic opportunity shall collaborate with the department of health and human services, the judiciary, local community action agencies, local nonprofit agencies, and legal aid organizations to create a rental and utility assistance program.

(3) The rental assistance program will operate in accordance with rules and guidance published by the United States Department of Treasury to serve eligible renter households with rental and utility assistance to preserve their housing and avoid eviction.

(4) The unexpended funds appropriated in part 1 for emergency 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 an emergency rental assistance program, which includes rental and utility assistance payments, housing stability services, and case management to eligible renter households impacted 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 $220,302,200.00.

(d) The tentative completion date is March 31, 2022.

Sec. 302. Funds appropriated in part 1 for emergency rental assistance – administrative costs shall be administered by the terms set forth for the administrative costs allowable under section 501(c)(5) of Division N of the Consolidated Appropriations Act, 2021, Public Law 116-260, authorizing the United States Department of Treasury to make payments to certain recipients to be used to provide emergency rental assistance.

Sec. 303. (1) No later than May 1, 2021, from the funds appropriated in part 1 for Michigan unemployment compensation funds, $150,000,000.00 shall be deposited into the unemployment compensation fund established under section 26 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.26, for the purpose of offsetting expected exposure to state fraud and improper payment during the COVID-19 crisis.

(2) If federal funds are available and expenditures are allowable under federal law, expenditures of federal funds under this section shall occur prior to the expenditure of general fund appropriations made for the same purposes in subsection (1). General fund appropriations replaced by federal expenditures authorized under this section shall revert to the general fund.

DEPARTMENT OF TREASURY

Sec. 401. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, $300,000,000.00 shall be used by the department of treasury to create and operate a property tax relief program to provide grants for property tax relief to afflicted businesses in this state. The department of treasury shall provide grants to afflicted businesses that have realized a significant financial hardship as a result of the COVID-19 emergency as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

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

(a) Subject to subdivisions (b) and (c), must not exceed the amount calculated in subparagraph (*i*) or (*ii*) as follows:

(*i*) For an afflicted business that pays property taxes directly, an amount equal to the property taxes paid by the afflicted business for calendar year 2020.

(*ii*) For an afflicted business that is a lessee, an amount equal to 17% of the annual lease cost paid by the afflicted business for calendar year 2020.

(b) An afflicted business that was in operation on October 1, 2019, must be subject to the following grant schedule:

(*i*) Afflicted businesses that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(*ii*) Afflicted businesses that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(*iii*) Afflicted businesses that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(*iv*) Afflicted businesses that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An afflicted business that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the afflicted business can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(3) An afflicted business is considered to have qualified for a grant under this section if, and only if, the afflicted business has certified and attested, under penalty of perjury, to either of the following:

(a) If the business was in operation on October 1, 2019, and was either an eligible self-employed individual, independent contractor, or sole proprietorship with no employees, or had employees for which it paid salaries or wages and payroll taxes or paid independent contractors, the afflicted business was adversely impacted by the pandemic as indicated by a gross receipts loss of at least 5% for a calendar quarter in 2020 when compared to the same calendar quarter in 2019.

(b) If the business was not in operation on October 1, 2019, but started operations before June 1, 2020, and was either an eligible self-employed individual, independent contractor, or sole proprietorship with no employees, or had employees for which it paid salaries or wages and payroll taxes or paid independent contractors, the afflicted business was negatively impacted by the COVID-19 pandemic through a closure or partial closure due to an executive order or DHHS epidemic order.

(4) Any afflicted business that falsifies certification under subsection (3) shall forfeit any payments under this section and sections 402 through 405 of this part and shall repay this state all payments it has received under this section and sections 402 through 405 of this part.

(5) If the amount appropriated under this section is not sufficient to fully pay grant awards under this section, payments shall be prorated on an equal basis among all afflicted businesses that qualified for a grant under this section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(6) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Afflicted businesses shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards by June 1, 2021.

(7) The department of treasury 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 department of treasury shall submit a summary of all grants awarded under the program, by industry, over the course of the current fiscal year by September 30, 2021.

(8) As used in this section:

(a) "Afflicted business" means any of the following:

(*i*) An entertainment venue.

(*ii*) An exercise facility.

(*iii*) A food service establishment.

(*iv*) A recreation facility or place of public amusement.

(*v*) A cosmetology shop or barber shop.

(*vi*) A nursery dealer or nursery grower.

(*vii*) An athletic trainer.

(*viii*) A body art facility.

(*ix*) A hotel or bed and breakfast.

(b) "Bed and breakfast" means that term as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(c) "Entertainment venue" includes an auditorium, arena, banquet hall, cinema, concert hall, conference center, performance venue, sporting venue, stadium, or theater.

(d) "Exercise facility" means a facility in which individuals participate in individual or group physical activity, including a gymnasium, fitness center, or exercise studio.

(e) "Food service establishment" means that term as defined in section 1107 of the food law, 2000 PA 92, MCL 289.1107.

(f) "Gross receipts" means that term as defined in section 607 of the income tax act of 1967, 1967 PA 281, MCL 206.607.

(g) "Hotel" means a building or structure kept, used, maintained as, or held out to the public to be an inn, hotel, or public lodging house. Hotel does not include a bed and breakfast as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(h) "Recreation facility or place of public amusement" includes an amusement park, arcade, bingo hall, bowling alley, casino, nightclub, skating rink, water park, or trampoline park.

Sec. 402. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, $55,000,000.00 shall be used by the department of treasury to create and operate an unemployment insurance tax relief program to provide grants for unemployment insurance tax relief to afflicted businesses in this state. The department of treasury shall provide grants to afflicted businesses as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

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

(a) Subject to subdivisions (b) and (c), must not exceed an amount equal to 50% of the amount of unemployment insurance taxes paid by the afflicted business in the 4 most recently preceding quarters.

(b) An afflicted business that was in operation on October 1, 2019 must be subject to the following grant schedule:

(*i*) Afflicted businesses that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(*ii*) Afflicted businesses that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(*iii*) Afflicted businesses that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(*iv*) Afflicted businesses that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An afflicted business that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the afflicted business can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(d) Must be used only for working capital to support payroll expenses, rent, mortgage payments, utility expenses, and costs related to reopening a business.

(3) An afflicted business is considered to have qualified for a grant under this section if, and only if, the afflicted business has certified and attested, under penalty of perjury, to both of the following:

(a) Unemployment insurance taxes were paid and the afflicted business has documented the taxes paid for at least 1 of the 4 most recently preceding quarters to the department of treasury.

(b) The afflicted business was an eligible self-employed individual, independent contractor, or sole proprietorship with no employees, or had employees for which it paid salaries or wages and payroll taxes or paid independent contractors.

(4) Any afflicted business that falsifies certification shall forfeit any payments under this section and sections 401, 403, 404, and 405 and shall repay this state all payments it has received under this section and sections 401, 403, 404, and 405.

(5) If the amount appropriated under this section is not sufficient to fully pay grant awards under this section, payments shall be prorated on an equal basis among all afflicted businesses that qualified for a grant under this section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(6) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Afflicted businesses shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards no later than June 1, 2021.

(7) The department of treasury 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 this section. The department of treasury shall submit a summary of all grants awarded under this section, by industry, over the course of the current fiscal year by September 30, 2021.

(8) As used in this section:

(a) "Afflicted business" means any of the following:

(*i*) An entertainment venue.

(*ii*) An exercise facility.

(*iii*) A food service establishment.

(*iv*) A recreation facility or place of public amusement.

(*v*) A cosmetologist, barber, cosmetology shop, or barber shop.

(*vi*) A nursery dealer or nursery grower.

(*vii*) An athletic trainer.

(*viii*) A body art facility.

(*ix*) A hotel or bed and breakfast.

(b) "Bed and breakfast" means that term as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(c) "Entertainment venue" includes an auditorium, arena, banquet hall, cinema, concert hall, conference center, performance venue, sporting venue, stadium, or theater.

(d) "Exercise facility" means a facility in which individuals participate in individual or group physical activity, including a gymnasium, fitness center, or exercise studio.

(e) "Food service establishment" means that term as defined in section 1107 of the food law, 2000 PA 92, MCL 289.1107.

(f) "Hotel" means a building or structure kept, used, maintained as, or held out to the public to be an inn, hotel, or public lodging house. Hotel does not include a bed and breakfast as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(g) "Recreation facility or place of public amusement" includes an amusement park, arcade, bingo hall, bowling alley, casino, nightclub, skating rink, water park, or trampoline park.

Sec. 403. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, $16,500,000.00 shall be used by the department of treasury to create and operate an on-premise retail liquor license relief program to provide grants for retail liquor license relief to eligible retail liquor establishments of this state. The department of treasury shall provide grants to eligible retail liquor establishments as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

(2) As used in this section, "eligible retail liquor establishment" means an establishment that meets both of the following requirements:

(a) Possessed an on-premise retail liquor license as issued under the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303.

(b) Can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(3) Grants made available to eligible retail liquor establishments under the program must meet all of the following conditions:

(a) Subject to subdivisions (b) and (c), must not exceed the amount of fees paid by the eligible retail liquor establishment for an on-premise retail liquor license under the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, during the calendar year 2020.

(b) An eligible retail liquor establishment that was in operation on October 1, 2019 must be subject to the following grant schedule:

(*i*) Eligible retail liquor establishments that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(*ii*) Eligible retail liquor establishments that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(*iii*) Eligible retail liquor establishments that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(*iv*) Eligible retail liquor establishments that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An eligible retail liquor establishment that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the eligible retail liquor establishment can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(d) Must be used only for working capital to support payroll expenses, rent, mortgage payments, utility expenses, and costs related to reopening a business.

(4) An eligible retail liquor establishment is considered to have qualified for a grant under this section if the eligible retail liquor establishment has certified and attested that on-premise retail liquor license fees were paid, and the eligible retail liquor establishment has documented the fees paid for calendar year 2020 to the department of treasury.

(5) The department shall only consider the criteria in subsection (4) when determining if an eligible retail liquor establishment is qualified for a grant under this section.

(6) Any eligible retail liquor establishment that falsifies certification shall forfeit any payments under this section and sections 401, 402, 404, and 405.

(7) If the amount appropriated under this section is not sufficient to fully pay grant awards under those sections, payments shall be prorated on an equal basis among all eligible applicants that qualified for a grant under that section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(8) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Eligible applicants shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards no later than June 1, 2021.

(9) The department of treasury 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 under this section in the previous month and the name of the recipient of each grant provided under this section. The department of treasury shall submit a summary of all grants awarded under this section, by industry, over the course of the current fiscal year by September 30, 2021.

Sec. 404. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, $22,000,000.00 shall be used by the department of treasury to create and operate a food service establishment license relief program to provide grants for food service establishment license relief to eligible food service establishments of this state. The department of treasury shall provide grants to eligible food service establishments as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

(2) As used in this section, "eligible food service establishment" means an establishment that meets both of the following requirements:

(a) Is a food service establishment as defined in section 1107 of the food law, 2000 PA 92, MCL 289.1107.

(b) Can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(3) Grants made available to eligible food service establishments under the program must meet all of the following conditions:

(a) Subject to subdivisions (b) and (c), must not exceed the total amount of fees paid by the eligible food service establishment for a license or required inspection under the food law, 2000 PA 92, MCL 289.1101 to 289.8111, during calendar year 2020.

(b) An eligible food service establishment that was in operation on October 1, 2019 must be subject to the following grant schedule:

(*i*) Eligible food service establishments that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(*ii*) Eligible food service establishments that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(*iii*) Eligible food service establishments that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(*iv*) Eligible food service establishments that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An eligible food service establishment that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the eligible food service establishment can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(4) An eligible food service establishment is considered to have qualified for a grant under this section if the eligible food service establishment has certified and attested to both of the following:

(a) License fees required under the food law, 2000 PA 92, MCL 289.1101 to 289.8111, were paid, and the eligible food service establishment has documented the fees paid for calendar year 2020 to the department of treasury.

(b) Inspection fees were paid to either the state or local health department for inspections required for annual licensing by the food law, 2000 PA 92, MCL 289.1101 to 289.8111, and the eligible food service establishment has documented the fee paid for calendar year 2020 to the department of treasury.

(5) The department shall only consider the criteria in subsection (4) when determining if an eligible food service establishment is qualified for a grant under this section.

(6) Any eligible food service establishment that falsifies certification shall forfeit any payments under this section and sections 401, 402, 403, and 405.

(7) If the amount appropriated under this section is not sufficient to fully pay grant awards under those sections, payments shall be prorated on an equal basis among all eligible applicants that qualified for a grant under that section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(8) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Eligible applicants shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards no later than June 1, 2021.

(9) The department of treasury 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 under this section in the previous month and the name of the recipient of each grant provided under this section. The department of treasury shall submit a summary of all grants awarded under this section, by industry, over the course of the current fiscal year by September 30, 2021.

Sec. 405. (1) From the funds appropriated in part 1 for afflicted business tax and fee relief, $11,500,000.00 shall be used by the department of treasury to create and operate a license and inspection fee relief program to provide grants for license and inspection fee relief to eligible licensees of this state. The department of treasury shall provide grants to eligible licensees as defined in this section. Grant applications shall be accepted, reviewed, and approved by the department of treasury.

(2) As used in this section, "eligible licensee" means a person that meets both of the following requirements:

(a) Is 1 or more of the following:

(*i*) An entertainment venue, including an auditorium, arena, banquet hall, cinema, concert hall, conference center, performance venue, sporting venue, stadium, or theater.

(*ii*) An exercise facility, which means a facility in which individuals participate in individual or group physical activity, including a gymnasium, fitness center, or exercise studio.

(*iii*) A food service establishment as that term is defined in section 1107 of the food law, 2000 PA 92, MCL 289.1107.

(*iv*) A recreation facility or place of public amusement, including an amusement park, arcade, bingo hall, bowling alley, casino, nightclub, skating rink, water park, or trampoline park.

(*v*) A cosmetologist, barber, cosmetology shop, or barber shop.

(*vi*) A nursery dealer or nursery grower.

(*vii*) An athletic trainer.

(*viii*) A body art facility.

(*ix*) A bed and breakfast, which means that term as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(*x*) A hotel, which means a building or structure kept, used, maintained as, or held out to the public to be an inn, hotel, or public lodging house. Hotel does not include a bed and breakfast as defined in section 4b of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504b.

(b) Can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(3) Grants made available to eligible licensees under the program must meet all of the following conditions:

(a) Subject to subdivisions (b) and (c), must not exceed the amount of fees paid by the eligible licensee for a state license or inspection fee during calendar year 2020. This does not include on-premise retail liquor licenses under the Michigan liquor code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, or a food service establishment license under the food law, 2000 PA 92, MCL 289.1101 to 289.8111.

(b) An eligible licensee that was in operation on October 1, 2019 must be subject to the following grant schedule:

(*i*) Eligible licensees that certify a gross receipts loss of 50% or more for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 100% of the amount calculated in subdivision (a).

(*ii*) Eligible licensees that certify a gross receipts loss greater than or equal to 25%, but less than 50%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 75% of the amount calculated in subdivision (a).

(*iii*) Eligible licensees that certify a gross receipts loss greater than or equal to 10%, but less than 25%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 50% of the amount calculated in subdivision (a).

(*iv*) Eligible licensees that certify a gross receipts loss greater than or equal to 5%, but less than 10%, for a calendar quarter in 2020 when compared to the same calendar quarter in 2019 shall receive a grant equal to 25% of the amount calculated in subdivision (a).

(c) An eligible licensee that was not in operation on October 1, 2019, but started operations before June 1, 2020, shall receive a grant equal to 50% of the amount calculated in subdivision (a) if the eligible licensee can certify that it was closed or partially closed due to an executive order or DHHS epidemic order.

(4) An eligible licensee is considered to have qualified for a grant under this section if the eligible licensee has certified and attested that state license and inspection fees required under Michigan law were paid, and the eligible licensee has documented the fees paid for calendar year 2020 to the department of treasury.

(5) The department shall only consider the criteria in subsection (4) when determining if an eligible licensee is qualified for a grant under this section.

(6) Any eligible licensee that falsifies certification shall forfeit any payments under this section and sections 401 through 404.

(7) If the amount appropriated under this section is not sufficient to fully pay grant awards under those sections, payments shall be prorated on an equal basis among all eligible licensees that qualified for a grant under this section. Any funds remaining after the disbursement of all grant awards shall revert to the general fund.

(8) The department of treasury must develop and post on the department website application, program operation, award, and reporting criteria for the program no later than April 1, 2021. Eligible licensees shall have until May 1, 2021 to submit program grant applications. The department of treasury shall disburse grant awards no later than June 1, 2021.

(9) The department of treasury 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 under this section in the previous month and the name of the recipient of each grant provided under this section. The department of treasury shall submit a summary of all grants awarded under this section, by industry, over the course of the current fiscal year by September 30, 2021.

Sec. 405a. For purposes of satisfying the application requirements under sections 401 through 405, the department of treasury shall develop a combined application separated into sections by program.

Sec. 406. (1) Funds appropriated in part 1 for property tax – delinquent tax penalty/interest waiver shall not be expended unless an amendment to section 44a of the general property tax act, 1893 PA 206, MCL 211.44a, is enacted into law to provide for the waiver of interest and penalty on unpaid summer 2020 property taxes levied on designated property. Funds shall be used only for implementation of that bill.

(2) A designated property is ineligible to waive interest and penalty on unpaid summer 2020 property taxes if it was delinquent in property taxes during 2018 or 2019.

(3) The unexpended funds appropriated for property tax – delinquent tax penalty/interest waiver are designated as work project appropriations. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure 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 project is to provide for the waiver of interest and penalty on unpaid summer 2020 property taxes levied on designated property.

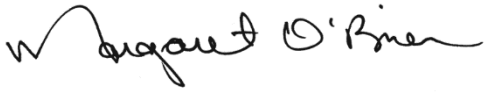
(b) The projects will be accomplished by utilizing state employees or contracts.

(c) The total estimated cost of the work project is $22,000,000.00.

(d) The tentative completion date is September 30, 2025.

This act is ordered to take immediate effect.

Clerk of the House of Representatives



Secretary of the Senate

Approved_____

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Governor