

HOUSE BILL No. 4098

February 7, 1989, Introduced by Reps. Willis Bullard, Bartnik, Pridnia, Runco, Jaye, Strand, Stacey, Walberg, Gilmer, DeMars, Emmons, Palamara, Porreca, Dolan, Nye, Pitoniak, Munsell, Sparks, Van Regenmorter, O'Connor, Wartner, Dunaskiss, Weeks and Bandstra and referred to the Committee on Judiciary.

A bill to amend section 60 of Act No. 280 of the Public Acts of 1939, entitled as amended

"The social welfare act,"

being section 400.60 of the Michigan Compiled Laws; and to add section 21a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 60 of Act No. 280 of the Public Acts of
2 1939, being section 400.60 of the Michigan Compiled Laws, is
3 amended and section 21a is added to read as follows:

4 SEC. 21A. AN APPLICANT FOR ANY FORM OF AID, RELIEF, OR
5 ASSISTANCE UNDER THIS ACT, OR A THIRD PERSON ACTING ON BEHALF OF
6 THE APPLICANT, SHALL SIGN OR MARK THE APPLICATION AND A DECLARA-
7 TION UNDER THE PENALTIES OF PERJURY THAT THE APPLICATION HAS BEEN
8 EXAMINED BY OR READ TO THE APPLICANT OR THIRD PARTY AND, TO THE
9 BEST OF THE APPLICANT'S OR THIRD PARTY'S KNOWLEDGE, THAT ALL

1 FACTS CONTAINED IN THE APPLICATION ARE TRUE AND ARE COMPLETE. AN
2 APPLICANT OR THIRD PARTY WHO KNOWINGLY MAKES A FALSE OR INCOM-
3 PLETE STATEMENT IN THE APPLICATION IS GUILTY OF A FELONY, PUNISH-
4 ABLE BY THE SAME PENALTIES AS PERJURY UNDER SECTION 423 OF THE
5 MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
6 BEING SECTION 750.423 OF THE MICHIGAN COMPILED LAWS.

7 Sec. 60. (1) ~~Any~~ EXCEPT AS PROVIDED IN SECTION 21A, A
8 person who by means of ~~wilful~~ WILLFUL false statement or repre-
9 sentation or by impersonation or other fraudulent device obtains
10 or attempts to obtain, or aids or abets ~~any person to obtain~~ A
11 PERSON IN OBTAINING (a) assistance or relief to which he OR SHE
12 is not entitled; or (b) a larger amount of assistance or relief
13 than that to which he OR SHE is justly entitled; or ~~any~~ AN
14 officer or employee of a county, city, or district department of
15 social ~~welfare~~ SERVICES who authorizes or recommends relief to
16 persons known to him OR HER to be ineligible, or to have fraudu-
17 lently created their eligibility; or any person who, WITHOUT THE
18 CONSENT OF THE DIRECTOR OF THE STATE DEPARTMENT, knowingly buys
19 OR DISPOSES OF, or aids or abets in buying or in ~~disposal~~
20 DISPOSING of, the property of a person receiving assistance or
21 relief ~~without the consent of the director or supervisor of the~~
22 ~~state department, shall,~~ IS GUILTY OF A MISDEMEANOR if the
23 amount involved ~~shall be of the value of~~ IS \$500.00 or less,
24 ~~be deemed guilty of a misdemeanor, and shall,~~ AND IS GUILTY OF
25 A FELONY if the amount involved ~~shall be of the value of~~ IS
26 more than \$500.00. ~~, be deemed guilty of a felony, and upon~~
27 UPON conviction THE PERSON shall be punished as provided by the

1 laws of this state. The amount involved as used in this
2 subsection ~~shall be~~ IS defined as the difference between the
3 lawful amount of assistance or aid and the amount of assistance
4 or aid THE PERSON actually received. If ~~anyone~~ A PERSON
5 receives assistance or relief through means enumerated in this
6 section, ~~in which prosecution is deemed unnecessary,~~ the state
7 OR COUNTY department ~~or county departments~~ may take the neces-
8 sary steps to recover from the recipient the amount involved,
9 plus interest at 5% per annum. ~~On conviction of the violation~~
10 ~~of the provisions of this section of any~~ AN officer or employee
11 of ~~any~~ A county, city, or district department of social
12 ~~welfare, such officer or employee~~ SERVICES CONVICTED UNDER THIS
13 SECTION shall be removed or dismissed from office.

14 (2) ~~There is imposed upon every~~ A person receiving relief
15 under this act either upon his OR HER own application or by ~~his~~
16 THE inclusion OF THE PERSON, to his OR HER knowledge, in the
17 application of another ~~the continuing obligation to~~ SHALL
18 supply to the department issuing the relief ALL OF THE FOLLOWING:

19 (a) ~~the complete circumstances in regard to his~~ COMPLETE
20 INFORMATION REGARDING HIS OR HER income from employment or from
21 any other source, ~~or~~ AND the existence of income, if known, ~~to~~
22 ~~him,~~ of other persons receiving relief through the same
23 application. ~~;~~ ~~(b) information~~

24 (B) INFORMATION regarding each ~~and every~~ offer of employ-
25 ment ~~for himself or, if known to him, of~~ HE OR SHE HAS
26 RECEIVED, AND, IF KNOWN, EACH OFFER OF EMPLOYMENT RECEIVED BY the

1 other persons receiving relief through the same application. →

2 ~~(c) information concerning~~

3 (C) INFORMATION REGARDING changes in his OR HER circum-
4 stances or ~~those~~ THE CIRCUMSTANCES of other persons receiving
5 relief through the same application ~~which~~ THAT would decrease
6 the need for relief. ~~, and (d) the~~

7 (D) THE circumstances or ~~whereabouts,~~ LOCATION known to
8 him ~~,~~ OR HER of relatives legally responsible for his OR HER
9 support or for the support of other persons receiving relief
10 through the same application if changes in such circumstances or
11 ~~whereabouts~~ LOCATION could affect the amount of assistance
12 available from such relatives or affect their legal liability to
13 furnish support. ~~Any~~ A person who ~~shall neglect or refuse~~
14 FAILS to submit ~~to the department issuing relief~~ the informa-
15 tion required by this section ~~shall,~~ IS GUILTY OF A MISDEMEANOR
16 if the amount of relief granted as a result of ~~such neglect or~~
17 ~~refusal be~~ THE FAILURE IS less than \$500.00, ~~be guilty of a~~
18 ~~misdemeanor, and~~ AND IS GUILTY OF A FELONY if the amount of
19 relief granted as a result of ~~such neglect or refusal be~~ THE
20 FAILURE IS \$500.00 or more. ~~, shall be deemed guilty of a~~
21 ~~felony, and upon conviction~~ A PERSON CONVICTED UNDER THIS
22 SECTION shall be punished as provided by the laws of this state.

23 (3) AS A CONDITION OF RECEIVING AID, RELIEF, OR ASSISTANCE
24 UNDER THIS ACT, A PERSON SHALL CONSENT TO ALL REASONABLE ACTS
25 NECESSARY FOR THE STATE DEPARTMENT TO DETERMINE OR VERIFY FACTS
26 PERTAINING TO THE PERSON'S ELIGIBILITY.