

# HOUSE BILL No. 4134

February 2, 1999, Introduced by Reps. Jansen, Mans and Scranton and referred to the Committee on House Oversight and Operations.

A bill to amend 1846 RS 12, entitled  
"Of certain state officers,"  
by amending section 33 (MCL 14.33), as amended by 1996 PA 563.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 33. (1) All ~~moneys~~ MONEY received by the attorney  
2 general, for debts due, or penalties forfeited to the people of  
3 this state, shall be paid by him or her, immediately after  
4 receipt, into the state treasury.

5       (2) Except as otherwise provided in this section, any pro-  
6 ceeds from a lawsuit settlement entered into by a state agency,  
7 department, division, bureau, board, commission, council, author-  
8 ity, or other body in the executive branch of state government or  
9 an individual acting on behalf of the executive branch of state  
10 government as the result of an action instituted on behalf of the  
11 state against a private individual or business or any other

1 private organization shall be deposited into a restricted fund to  
2 be used as provided by law. In case of a conflict between this  
3 section and ~~another state or~~ federal law that requires alloca-  
4 tion to a specific fund or account or for a specific purpose or  
5 purposes, ~~that other state statute or~~ federal law ~~shall~~  
6 ~~prevail~~ PREVAILS.

7 (3) ANY PROCEEDS FROM A LAWSUIT SETTLEMENT ENTERED INTO BY  
8 THE ATTORNEY GENERAL AS THE RESULT OF AN ACTION INSTITUTED ON  
9 BEHALF OF THE STATE AGAINST A PRIVATE BUSINESS OR ANY OTHER PRI-  
10 VATE ORGANIZATION SHALL BE DEPOSITED INTO A RESTRICTED FUND AND  
11 BE USED ONLY ON APPROPRIATION AS PROVIDED BY LAW IN SECTION 443A  
12 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1443A.

13 (4) ~~(3)~~ As used in this section, "proceeds" means a cash  
14 settlement. Proceeds does not include real property or stocks,  
15 bonds, or other evidences of indebtedness unless these items are  
16 to be converted into cash as part of the settlement or payments  
17 to be made to a specifically designated party as a result of the  
18 settlement of a contractual dispute between the state and a party  
19 or parties to a contract with the state.