

**SB0472, As Passed House, December 13, 2001**

**REPRINT**

**SUBSTITUTE FOR**

**SENATE BILL NO. 472**

(As passed the Senate November 8, 2001)

A bill to amend 1982 PA 249, entitled

"An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund,"

by amending section 1 (MCL 21.171), as amended by 2000 PA 72.

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

1       Sec. 1. (1) The children's trust fund is created as a ~~sepa-~~  
2 ~~rate~~ CHARITABLE AND EDUCATIONAL ENDOWMENT fund in the department of  
3 treasury. The fund shall be  
4 expended only as provided in this section.

4       (2) The state treasurer shall credit to the trust fund all  
5 amounts appropriated for this purpose under section 475 of the  
6 income tax act of 1967, 1967 PA 281, MCL 206.475, any amounts  
7 received under section 811j of the Michigan vehicle code, 1949  
8 PA 300, MCL 257.811j, and section 8 of the child abuse and  
9 neglect prevention act, 1982 PA 250, MCL 722.608, and any amounts

**SB0472, As Passed House, December 13, 2001**

Senate Bill No. 472

2

1 received from civil fines imposed under the playground equipment  
2 safety act, 1997 PA 16, MCL 408.681 to 408.687.

3 (3) The state treasurer shall ~~invest~~ DIRECT THE INVESTMENT  
4 OF THE trust fund. ~~money in the same manner as surplus funds are~~  
5 ~~invested pursuant to section 3 of 1855 PA 105, MCL 21.143.~~  
6 ~~Earnings shall be credited to the trust fund.~~ THE STATE TREA-  
7 SURER SHALL HAVE THE SAME AUTHORITY TO INVEST THE ASSETS OF THE  
8 TRUST FUND AS IS GRANTED TO AN INVESTMENT FIDUCIARY UNDER THE  
9 PUBLIC EMPLOYEE RETIREMENT SYSTEM INVESTMENT ACT, 1965 PA 314,  
10 MCL 38.1132 TO 38.1140/.

11 (4) Until the total amount of assets in the trust fund  
12 exceeds \$20,000,000.00, not more than 1/2 of the money contrib-  
13 uted to the trust fund each year, plus the INTEREST AND earnings  
14 credited to the trust fund during the previous fiscal year, shall  
15 be available for disbursement upon the authorization of the state  
16 board as provided in section 9 of the child abuse and neglect  
17 prevention act, 1982 PA 250, MCL 722.609. If the state treasurer  
18 certifies that the assets in the trust fund exceed  
19 \$20,000,000.00, only the INTEREST AND earnings credited to the  
20 trust fund shall be available for disbursement upon the authori-  
21 zation of the state board as provided in section 9 of the child  
22 abuse and neglect prevention act, 1982 PA 250, MCL 722.609.

23 (5) ~~Funds~~ MONEY granted or ~~funds~~ received as gifts or  
24 donations to the ~~children's~~ trust fund shall be available for  
25 disbursement upon appropriation under section 8 of the child  
26 abuse and neglect prevention act, 1982 PA 250, MCL 722.608, and

**SB0472, As Passed House, December 13, 2001**

Senate Bill No. 472

3

1 funds authorized for expenditure shall not be considered assets  
2 OF THE TRUST FUND for the purposes of subsection (4).

3       (6) THE STATE TREASURER SHALL ANNUALLY PREPARE AN ACCOUNTING  
4 OF REVENUES AND EXPENDITURES FROM THE TRUST FUND. THIS ACCOUNT-  
5 ING SHALL SPECIFICALLY IDENTIFY THE INTEREST AND EARNINGS OF THE  
6 TRUST FUND, SHALL DESCRIBE HOW THE AMOUNT OF INTEREST AND EARN-  
7 INGS HAS BEEN AFFECTED BY THE EXPANDED INVESTMENT OPTIONS PRO-  
8 VIDED FOR IN SUBSECTION (3), AND SHALL IDENTIFY HOW THE INCREASED  
9 INTEREST AND EARNINGS, IF ANY, HAVE BEEN EXPENDED. THIS ACCOUNT-  
10 ING SHALL BE PROVIDED TO THE SENATE AND HOUSE OF REPRESENTATIVES  
11 APPROPRIATIONS COMMITTEES.

12       (7) AS USED IN THIS SECTION, "TRUST FUND" MEANS THE  
13 CHILDREN'S TRUST FUND CREATED IN SUBSECTION (1).

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