

SENATE BILL NO. 977

March 23, 2022, Introduced by Senators DALEY, HUIZENGA, VICTORY, NESBITT, BUMSTEAD, LAUWERS and VANDERWALL and referred to the Committee on Agriculture.

A bill to amend 1965 PA 232, entitled
"Agricultural commodities marketing act,"
by amending section 8 (MCL 290.658), as amended by 2002 PA 601.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. (1) Money, assets, or other items of value collected
2 or received under this act, whether collected from assessments,
3 received as grants or gifts, or earned from royalties or license
4 fees or derived from any activities performed by another
5 organization, agency, or individual and conducted under a marketing

1 program, are not state money and ~~shall~~**must** be deposited in a
2 financial institution in this state. The money ~~shall~~**must** be
3 allocated to the marketing program under which it is collected or
4 received and ~~shall~~ be disbursed only for the necessary expenses
5 incurred for the marketing program according to the rules
6 established under the marketing program and for grants authorized
7 under a marketing agreement or marketing program.

8 (2) Except as otherwise provided for in this subsection, all
9 expenditures ~~shall~~**must** be audited by a certified public accountant
10 at least annually and within 30 days after completion of the audit,
11 the certified public accountant shall give copies of the audit to
12 the members of the committee and the director. An activity and
13 financial report ~~shall~~**must** be published annually and made
14 available to interested parties. A committee with annual ~~assets~~
15 **collected producer assessments** of ~~\$50,000.00~~**\$40,000.00** or less,
16 based upon a 3-year average, shall be audited ~~twice~~**once** between
17 referenda. ~~and shall have a financial review conducted in those~~
18 ~~years where it is not audited under this subsection.~~**Nothing in this**
19 **subsection prevents the department from conducting oversight**
20 **activities authorized by this act.**