

# HOUSE BILL NO. 4589

March 25, 2021, Introduced by Rep. Hornberger and referred to the Committee on Appropriations.

A bill 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:**

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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:

1	<b>APPROPRIATION SUMMARY</b>		
2	<b>GROSS APPROPRIATION</b>	\$	5,000,100
3	Interdepartmental grant revenues:		
4	Total interdepartmental grants and		
5	intradepartmental transfers		0
6	<b>ADJUSTED GROSS APPROPRIATION</b>	\$	5,000,100
7	Federal revenues:		
8	Total federal revenues		0
9	Special revenue funds:		
10	Total local revenues		0
11	Total private revenues		0
12	Total other state restricted revenues		0
13	<b>State general fund/general purpose</b>	\$	5,000,100
14	<b>Sec. 102. DEPARTMENT OF ATTORNEY GENERAL</b>		
15	<b>(1) APPROPRIATION SUMMARY</b>		
16	<b>GROSS APPROPRIATION</b>	\$	5,000,100
17	Interdepartmental grant revenues:		
18	Total interdepartmental grants and		
19	intradepartmental transfers		0
20	<b>ADJUSTED GROSS APPROPRIATION</b>	\$	5,000,100
21	Federal revenues:		
22	Total federal revenues		0
23	Special revenue funds:		
24	Total local revenues		0
25	Total private revenues		0
26	Total other state restricted revenues		0
27	<b>State general fund/general purpose</b>	\$	5,000,100
28	<b>(2) ATTORNEY GENERAL OPERATIONS</b>		

1	Prosecuting attorneys coordinating council	\$	5,000,000
2	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>5,000,000</b>
3	Appropriated from:		
4	<b>State general fund/general purpose</b>	<b>\$</b>	<b>5,000,000</b>
5	<b>(3) ONE-TIME APPROPRIATIONS</b>		
6	Personal protection equipment and facility		
7	expenses for nursing homes	\$	100
8	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>100</b>
9	Appropriated from:		
10	<b>State general fund/general purpose</b>	<b>\$</b>	<b>100</b>

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

15           Sec. 201. Pursuant to section 30 of article IX of the state  
16 constitution of 1963, total state spending from state sources under  
17 part 1 for fiscal year ending September 30, 2021 is \$5,000,100.00  
18 and total state spending from state sources to be paid to local  
19 units of government is \$5,000,000.00.

20           Sec. 202. The appropriations made and expenditures authorized  
21 under this part and part 1 and the departments, commissions,  
22 boards, offices, and programs for which appropriations are made  
23 under this part and part 1, are subject to the management and  
24 budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

25           Sec. 203. If the state administrative board, acting under  
26 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount  
27 appropriated under this act, the legislature may, by a concurrent  
28 resolution adopted by a majority of the members elected to and  
29 serving in each house, inter-transfer funds within this act for the

1 particular department, board, commission, office, or institution.

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3 **DEPARTMENT OF ATTORNEY GENERAL**

4       Sec. 301. (1) Funds appropriated in part 1 for prosecuting  
5 attorneys coordinating council shall be used by the prosecuting  
6 attorneys coordinating council for COVID-19 nursing home  
7 investigations undertaken by county prosecutors. The prosecuting  
8 attorneys coordinating council shall create and operate a grant  
9 program that provides grants to county prosecutor's offices. Grant  
10 funding shall be used for investigating incidents or deaths related  
11 to the spread of the coronavirus at long-term care facilities and  
12 nursing homes and the processes and policies established by the  
13 state in response to COVID-19, and for determining whether any  
14 violations of law may have contributed to the spread of the virus  
15 among residents of those facilities. Funding may be used for, but  
16 is not limited to, determining all of the following:

17       (a) The accuracy of data reported on positive COVID-19 cases  
18 and deaths associated with COVID-19 in long-term care facilities  
19 and any discrepancies in the way this data was collected and  
20 reported, particularly as a result of transferring COVID-19  
21 positive individuals to and from long-term care facilities pursuant  
22 to state policies.

23       (b) Compliance with all COVID-19 guidelines and reporting  
24 requirements issued by the centers for Disease Control and  
25 Prevention.

26       (c) Compliance with Michigan's freedom of information act,  
27 1976 PA 442, MCL 15.231 to MCL 15.246.

28       (2) The prosecuting attorneys coordinating council shall make  
29 grants from the funds appropriated to each county prosecutor's

1 office that enters into a grant agreement with the prosecuting  
2 attorneys coordinating council for the sole use of supporting  
3 expenditures as described in subsection (1). A grant must be  
4 disbursed within 30 days after the date that the prosecuting  
5 attorneys coordinating council receives a completed and signed  
6 grant agreement from the prosecutor's office requesting the grant.

7 (3) The prosecuting attorneys coordinating council shall award  
8 not more than \$500,000.00 to any grant applicant.

9 (4) The prosecuting attorneys coordinating council shall  
10 develop and post on the prosecuting attorneys coordinating council  
11 website the application and program operation, award, and reporting  
12 criteria for the program.

13 (5) Not later than June 1, any county prosecutor receiving a  
14 grant award from the funds appropriated in part 1 shall submit a  
15 report to the senate and house committees on appropriations on the  
16 use of grant funds under this section. The report shall include an  
17 assessment of the findings of the investigation and include a  
18 detailed listing of all expenditures made.

19 (6) Not later than September 1, and annually thereafter, the  
20 prosecuting attorneys coordinating council shall submit a report to  
21 the senate and house committees on appropriations on the grant  
22 program. The report shall include a listing of all counties that  
23 applied for funding, all counties that received funding, the amount  
24 of funding received by county, and the total amount expended for  
25 the program.

26 (7) The unexpended funds appropriated in part 1 for the  
27 prosecuting attorneys coordinating council are designated as a work  
28 project appropriation, and any unencumbered or unallotted funds  
29 shall not lapse at the end of the fiscal year and shall be

1 available for expenditures for projects under this section until  
2 the projects have been completed. The following is in compliance  
3 with section 451a(1) of the management and budget act, 1984 PA 431,  
4 MCL 18.1451a:

5 (a) The purpose of the project is to investigate incidents or  
6 deaths related to the spread of the coronavirus at long-term care  
7 facilities and nursing homes and the processes and policies  
8 established by the state in response to COVID-19, and to determine  
9 whether any violations of law may have contributed to the spread of  
10 the virus among residents of those facilities.

11 (b) The project will be funded in accordance with this section  
12 and the project guidelines approved by the prosecuting attorneys  
13 coordinating council prior to an award.

14 (c) The estimated cost of this project is \$5,000,000.00.

15 (d) The tentative completion date for the work project is  
16 September 30, 2023.