

# HOUSE BILL NO. 5709

May 07, 2024, Introduced by Reps. Beeler, Friske, Rigas, Bezotte and DeBoyer and referred to the Committee on Government Operations.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
by amending section 60 (MCL 400.60), as amended by 1999 PA 194.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 60. (1) ~~Any person~~**An individual** who by means of willful  
2 false statement or representation, by impersonation or other  
3 fraudulent device, or by using an access device obtains or attempts  
4 to obtain, or aids or abets any ~~person~~**individual** to obtain or  
5 attempt to obtain, (a) assistance or relief to which the ~~person~~  
6 **individual** is not entitled; or (b) a larger amount of assistance or

1 relief than that to which the ~~person~~**individual** is justly entitled;  
2 or any officer or employee of a county, city, or ~~district family~~  
3 ~~independence agency~~**the department of health and human services** who  
4 authorizes or recommends relief to ~~persons~~**individuals** known to the  
5 officer or employee to be ineligible or to have fraudulently  
6 created their eligibility; or any ~~person~~**individual** who knowingly  
7 buys or aids or abets in buying or in disposal of the property of a  
8 ~~person~~**an individual** receiving assistance or relief without the  
9 consent of the director or supervisor of the ~~state~~department  
10 ~~shall, if the amount involved shall be of the value of \$500.00 or~~  
11 ~~less, be deemed~~**of health and human services is** guilty of a  
12 ~~misdemeanor and~~**felony. The court** shall, ~~, if the amount involved~~  
13 ~~shall be of the value of more than \$500.00, be deemed guilty of a~~  
14 ~~felony, and upon conviction shall be punished as provided by the~~  
15 ~~laws of this state. The amount involved as used in this subsection~~  
16 ~~shall be defined as the difference between the lawful amount of~~  
17 ~~assistance or aid and the amount of assistance or aid actually~~  
18 ~~received.~~**sentence the person to imprisonment for not less than 2**  
19 **years and 6 months or more than 4 years.** If anyone receives  
20 assistance or relief through means enumerated in this section, in  
21 which prosecution is deemed unnecessary, the ~~state~~department **of**  
22 **health and human services** or county departments may take the  
23 necessary steps to recover from the recipient the amount involved,  
24 plus interest at 5% per annum. On conviction of the violation of  
25 the provisions of this section of any officer or employee of any  
26 county, city, or district department of social welfare, the officer  
27 or employee ~~shall~~**must** be removed or dismissed from office. For the  
28 purpose of this subsection, "access device" means that term as it  
29 is defined in section 300a of the Michigan penal code, 1931 PA 328,

1 MCL 750.300a.

2 (2) There is imposed ~~upon~~**on** every ~~person~~**individual** receiving  
 3 relief under this act either ~~upon~~**on** the ~~person's~~**individual's** own  
 4 application or by the ~~person's~~**individual's** inclusion, to ~~his~~**or**  
 5 ~~her~~**the individual's** knowledge, in the application of another the  
 6 continuing obligation to supply to the department issuing the  
 7 relief: (a) the complete circumstances in regard to the ~~person's~~  
 8 **individual's** income from employment or from any other source or the  
 9 existence of income, if known to the ~~person~~**individual**, of other  
 10 ~~persons~~**individuals** receiving relief through the same application;  
 11 (b) information regarding each and every offer of employment for  
 12 the ~~person~~**individual** or, if known to ~~him~~**or her**,**the individual**,  
 13 of the other ~~persons~~**individuals** receiving relief through the same  
 14 application; (c) information concerning changes in the ~~person's~~  
 15 **individual's** circumstances or those of other ~~persons~~**individuals**  
 16 receiving relief through the same application which would decrease  
 17 the need for relief; and (d) the circumstances or whereabouts,  
 18 known to the ~~person~~**individual**, of relatives legally responsible  
 19 for the ~~person's~~**individual's** support or for the support of other  
 20 ~~persons~~**individuals** receiving relief through the same application  
 21 if changes in those circumstances or whereabouts could affect the  
 22 amount of assistance available from those relatives or affect their  
 23 legal liability to furnish support. Any ~~person~~**individual** who shall  
 24 ~~neglect or refuse~~**neglects or refuses** to submit to the department  
 25 issuing relief the information required by this section ~~, if the~~  
 26 ~~amount of relief granted as a result of the neglect or refusal is~~  
 27 ~~less than \$500.00,~~ is guilty of a misdemeanor, and if the amount of  
 28 ~~relief granted as a result of the neglect or refusal is \$500.00 or~~  
 29 ~~more,~~ is guilty of a felony, and ~~upon~~**on** conviction **the court** shall

1 ~~be punished as provided by the laws of this state.~~**sentence the**  
2 **individual to imprisonment for not less than 2 years and 6 months**  
3 **or more than 4 years.**

4       Enacting section 1. This amendatory act takes effect 90 days  
5 after the date it is enacted into law.