

# SENATE BILL No. 813

October 18, 2005, Introduced by Senators McMANUS, GARCIA, BIRKHOLZ and KUIPERS and referred to the Committee on Judiciary.

A bill to amend 1939 PA 280, entitled  
 "The social welfare act,"  
 by amending section 10b (MCL 400.10b), as added by 1996 PA 190.

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

1           Sec. 10b. (1) Subject to subsection (2) **AND EXCEPT AS PROVIDED**  
 2 **IN SUBSECTION (4)**, the ~~family independence agency~~ **DEPARTMENT** shall  
 3 not grant public assistance under this act to an individual if the  
 4 ~~family independence agency~~ **DEPARTMENT** receives information and a  
 5 written statement described in section 10a that the individual is  
 6 subject to arrest under an outstanding warrant arising from a  
 7 felony charge against that individual or under an outstanding  
 8 warrant for extradition arising from a criminal charge against that

1 individual in another jurisdiction. This subsection does not affect  
2 the eligibility for assistance of other members of the individual's  
3 household. An individual described in this subsection is eligible  
4 for assistance when he or she is no longer subject to arrest under  
5 an outstanding warrant as described in this section.

6 (2) If federal approval is required in order to prevent the  
7 loss of federal reimbursement as a result of the application of  
8 this section to a recipient receiving family independence  
9 assistance or food stamps, the ~~family independence agency~~  
10 **DEPARTMENT** shall promptly take any action necessary to obtain  
11 federal approval. In the absence of any necessary federal approval,  
12 the family independence agency shall apply this section only to  
13 recipients of state family assistance and state disability  
14 assistance.

15 (3) **THE DEPARTMENT DIRECTOR OR HIS OR HER DESIGNEE SHALL**  
16 **REVIEW INFORMATION PROVIDED BY THE DEPARTMENT OF STATE POLICE UNDER**  
17 **SECTION 4 OF THE L.E.I.N. POLICY COUNCIL ACT OF 1974, 1974 PA 163,**  
18 **MCL 28.214, TO DETERMINE IF PUBLIC ASSISTANCE RECIPIENTS ARE**  
19 **SUBJECT TO ARREST UNDER AN OUTSTANDING WARRANT AS DESCRIBED IN**  
20 **SECTION 10A. THE DEPARTMENT DIRECTOR OR HIS OR HER DESIGNEE SHALL**  
21 **REVIEW THIS INFORMATION EVERY 30 DAYS.**

22 (4) **SUBJECT TO SUBSECTION (2) AND EXCEPT AS PROVIDED IN**  
23 **SUBSECTION (1), THE DEPARTMENT SHALL NOT GRANT PUBLIC ASSISTANCE**  
24 **UNDER THIS ACT TO AN INDIVIDUAL IF THE DEPARTMENT RECEIVES**  
25 **INFORMATION FROM THE DEPARTMENT OF STATE POLICE AS PROVIDED IN**  
26 **SUBSECTION (3) THAT THE INDIVIDUAL IS SUBJECT TO AN ARREST UNDER AN**  
27 **OUTSTANDING WARRANT DESCRIBED IN SECTION 10A.**

1           (5) ~~—(3)—~~ As used in this section:

2           (a) "Felony" means a violation of a penal law of this state or  
3 the United States for which the offender may be punished by  
4 imprisonment for more than 1 year, an offense expressly designated  
5 by law to be a felony, or a violation of felony probation or  
6 parole.

7           (b) "Public assistance" means family independence assistance,  
8 state family assistance, state disability assistance, or food  
9 stamps provided under this act.