

Act No. 13
Public Acts of 2017
Approved by the Governor
March 30, 2017
Filed with the Secretary of State
March 31, 2017
EFFECTIVE DATE: June 29, 2017

STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017

Introduced by Senators Zorn, O'Brien, Proos, Jones, Colbeck, Knollenberg, Horn, Booher, Brandenburg, Schuitmaker, Hansen, Kowall, Gregory and Johnson

ENROLLED SENATE BILL No. 19

AN ACT to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 10b (MCL 400.10b), as amended by 2011 PA 198.

The People of the State of Michigan enact:

Sec. 10b. (1) Subject to subsection (3) and except as provided in subsection (5), the department shall not grant cash assistance under this act to an individual if the department receives information provided under section 10a that the individual is subject to arrest under an outstanding warrant arising from a felony charge against that individual in this or any other jurisdiction. The department shall not grant food assistance to an individual if the individual has an outstanding felony warrant and law enforcement is actively seeking the individual. This subsection does not affect the eligibility for assistance of other members of the individual's household. An individual described in this subsection is eligible for cash assistance when he or she is no longer subject to arrest under an outstanding warrant as described in this section and law enforcement is not actively seeking the individual.

(2) Subject to subsection (3), the department shall not grant cash assistance under this act to an individual if the department receives information under section 84 of the corrections code of 1953, 1953 PA 232, MCL 791.284, that the individual has absconded from supervision under that act. Subject to subsection (3), the department shall not grant food assistance under this act to an individual if the department receives information under section 84 of the corrections code of 1953, 1953 PA 232, MCL 791.284, that the individual has absconded from supervision under that act and that law enforcement or the department of corrections is actively seeking the individual.

(3) If federal approval is required in order to prevent the loss of federal reimbursement as a result of the application of this section to a recipient receiving family independence program assistance or food assistance, the department shall promptly take any action necessary to obtain federal approval. In the absence of any necessary federal approval, the department shall apply this section only to recipients of state family assistance and state disability assistance.

(4) The department director or his or her designee shall review information provided by the department of state police under section 4 of the C.J.I.S. policy council act, 1974 PA 163, MCL 28.214, to determine if cash assistance or food assistance recipients or applicants are subject to arrest under an outstanding warrant as described in section 10a. The department director or his or her designee shall review information provided by the department of corrections under section 84 of the corrections code of 1953, 1953 PA 232, MCL 791.284, to determine if cash assistance recipients or applicants are subject to a warrant for absconding. The department director or his or her designee shall review information provided by the department of corrections under section 84 of the corrections code of 1953, 1953 PA 232, MCL 791.284, to determine if food assistance recipients or applicants are subject to a warrant for absconding and if law enforcement is actively seeking the recipients or applicants.

(5) Subject to subsection (3) and except as provided in subsection (1), the department shall not grant cash assistance or food assistance under this act to an individual if the department receives information from the department of state police as provided in subsection (4) that the individual is subject to an arrest under an outstanding warrant described in section 10a. Subject to subsection (3), the department shall not grant cash assistance under this act to an individual if the department receives information from the department of corrections that the individual has absconded from supervision. Subject to subsection (3), the department shall not grant food assistance under this act to an individual if the department receives information from the department of corrections that the individual has absconded from supervision and law enforcement is actively seeking the individual.

(6) As used in this section:

(a) "Abscond" and "actively seeking" mean those terms as defined in section 84 of the corrections code of 1953, 1953 PA 232, MCL 791.284.

(b) "Cash assistance" means cash benefits provided under the family independence program, the refugee assistance program, or state disability assistance.

(c) "Food assistance" means the food benefits provided under the food assistance program administered under this act.

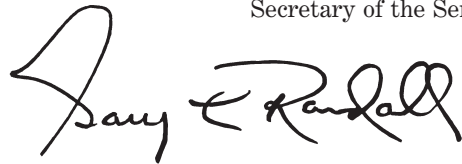
Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 18 of the 99th Legislature is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor

Compiler's note: Senate Bill No. 18, referred to in enacting section 2, was filed with the Secretary of State March 31, 2017, and became 2017 PA 12, Eff. June 29, 2017.