

RAISE THE AGE FUND

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Senate Bill 102 (S-2) as passed by the Senate
Sponsor: Sen. Sylvia Santana
House Committee: Judiciary
Senate Committee: Judiciary and Public Safety
Complete to 10-14-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 102 would add a new section to the Social Welfare Act to create the Raise the Age Fund, which would reimburse a county, court, or tribe for costs related to providing services under the “Raise the Age” legislation that are not eligible for reimbursement from the Child Care Fund.

The Raise the Age Fund would be created within the state treasury. Money or other assets from any source could be received by the treasurer for deposit into the fund. The treasurer would direct investment of the fund and credit to it interest and earnings from the fund’s investments. Money in the Raise the Age Fund at the close of a fiscal year would remain in the fund and not lapse to the general fund.

The Department of Health and Human Services (DHHS) would administer the Raise the Age Fund. The department would expend money from the fund, as appropriated by the legislature, to support the cost of raising the age of criminal responsibility for costs not eligible for reimbursement through the Child Care Fund as provided in the act (section 117a(4)(j)). Eligible costs would include those listed and associated with a court exercising jurisdiction under section 2 of the Juvenile Code (within the Probate Code) *over a juvenile who is 17 years of age but under the age of 18 at the time of the offense*. A request for reimbursement would have to be accompanied by substantiating documentation, as determined by DHHS.

A county, court, or tribe receiving money from the Raise the Age Fund would have to report expenditures made with the money. The report would have to include at least the following:

- Personnel costs for staff providing direct services to the youth, including full or appropriately prorated salaries and training.
- Contracted staffing, programming, and services.
- Youth placement and care costs, including at least room and board, clothing, incidentals, incentives, transportation, and treatment.
- Indirect administrative costs, including at least judicial staff and operational expenditures necessary to carry out the judicial process.

The bill would take effect October 1, 2021.

Proposed MCL 400.117i

BACKGROUND INFORMATION:

The bill, which is part of the Raise the Age legislative package, is similar to HB 4146, which was passed by the House of Representatives.

FISCAL IMPACT:

Senate Bill 102 would have no immediate fiscal impact on the state or on local units of government, but could eventually have an indeterminate fiscal impact on the state and local units of government.

Under the bill, DHHS would administer the new Raise the Age Fund and would expend money from the fund upon appropriation by the legislature. Any increased costs to the department would be dependent upon additional administrative costs that might be incurred for the administration of the fund.

The bill also could have a minimal fiscal impact on local court funding units. It could cost a county, court, or tribe to report on expenditures made with funding they receive from the Raise the Age Fund. However, costs to report could most likely be supported with existing financial resources.

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