

**No. 93**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**102nd Legislature**  
**REGULAR SESSION OF 2023**

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House Chamber, Lansing, Thursday, November 2, 2023.

10:00 a.m.

The House was called to order by the Speaker.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Aiyash—present	Dievendorf—present	Markkanen—present	Schriver—present
Alexander—present	Edwards—present	Martin—present	Schuette—present
Andrews—present	Farhat—present	Martus—present	Scott—present
Aragona—present	Filler—present	McFall—present	Shannon—present
Arbit—present	Fink—present	McKinney—present	Skaggs—present
Beeler—present	Fitzgerald—present	Meerman—present	Slagh—present
BeGole—present	Fox—present	Mentzer—present	Smit—present
Beson—present	Friske—present	Miller—present	Snyder—present
Bezotte—present	Glanville—present	Morgan—present	St. Germaine—present
Bierlein—present	Grant—present	Morse—present	Steckloff—present
Bollin—present	Green, P.—present	Mueller—present	Steele—present
Borton—present	Greene, J.—present	Neeley—present	Stone—present
Brabec—present	Haadsma—present	Neyer—present	Tate—present
Breen—present	Hall—present	O’Neal—present	Thompson—present
Brixie—present	Harris—present	Outman—present	Tisdell—present
Bruck—present	Hill—present	Paiz—present	Tsernoglou—present
Byrnes—present	Hoadley—present	Paquette—present	VanderWall—present
Carra—present	Hood—present	Pohutsky—present	VanWoerkom—present
Carter, B.—present	Hope—present	Posthumus—present	Wegela—present
Carter, T.—present	Hoskins—present	Prestin—present	Weiss—present
Cavitt—present	Johnsen—present	Price—present	Wendzel—present
Churches—present	Koleszar—present	Puri—present	Whitsett—present
Coffia—present	Kuhn—present	Rheingans—present	Wilson—present
Coleman—present	Kunse—present	Rigas—present	Witwer—present
Conlin—present	Liberati—present	Rogers—present	Wozniak—present
DeBoer—present	Lightner—present	Roth—excused	Young—present
DeBoyer—present	MacDonell—present	Schmaltz—present	Zorn—present
DeSana—present	Maddock—present		

e/d/s = entered during session

Rep. Bryan Posthumus, from the 90th District, offered the following invocation:

“Heavenly Father we are so grateful for all that You do for us, all that You provide for us. Lord, we humbly come before You, and we praise You, and we worship You. Lord God, we ask that You help give us guidance, give us wisdom, and give us courage. The things that we do in this body are consequential and have impacts around our entire state. With Your divine providence we ask that You help to instill Your wisdom into us. Lord, please guide the leaders of our country, the leaders of our state, and the leaders of our communities. It’s in Your Son’s name that we pray. Amen.”



The Speaker called the Speaker Pro Tempore to the Chair.



Rep. Posthumus moved that Rep. Roth be excused from today’s session.  
The motion prevailed.

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 4520, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 81 and 81a (MCL 750.81 and 750.81a), section 81 as amended by 2016 PA 87 and section 81a as amended by 2012 PA 366.

(The bill was received from the Senate on October 31, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until November 1, see House Journal No. 91, p. 2162.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 469**

**Yeas—97**

Aiyash	Edwards	Martin	Schuette
Alexander	Farhat	Martus	Scott
Andrews	Filler	McFall	Shannon
Aragona	Fink	McKinney	Skaggs
Arbit	Fitzgerald	Meerman	Slagh
BeGole	Glanville	Mentzer	Snyder
Beson	Grant	Miller	St. Germaine
Bezotte	Green, P.	Morgan	Steckloff
Bierlein	Greene, J.	Morse	Stone
Bollin	Haadsma	Mueller	Tate
Borton	Hall	Neeley	Thompson
Brabec	Harris	Neyer	Tisdell
Breen	Hill	O’Neal	Tsernoglou
Brixie	Hoadley	Outman	VanderWall
Bruck	Hood	Paiz	VanWoerkom
Byrnes	Hope	Paquette	Wegela
Carter, B.	Hoskins	Pohutsky	Weiss

Carter, T.	Koleszar	Posthumus	Wendzel
Cavitt	Kuhn	Prestin	Whitsett
Churches	Kunse	Price	Wilson
Coffia	Liberati	Puri	Witwer
Coleman	Lightner	Rheingans	Wozniak
Conlin	MacDonell	Rogers	Young
DeBoer	Markkanen	Schmaltz	Zorn
Dievendorf			

### Nays—12

Beeler	DeSana	Johnsen	Schriver
Carra	Fox	Maddock	Smit
DeBoyer	Friske	Rigas	Steele

In The Chair: Pohutsky

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

#### **House Bill No. 4521, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 82 (MCL 750.82), as amended by 1994 PA 158.

(The bill was received from the Senate on October 31, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until November 1, see House Journal No. 91, p. 2162.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 470**

#### **Yeas—97**

Aiyash	Edwards	Martin	Schuette
Alexander	Farhat	Martus	Scott
Andrews	Filler	McFall	Shannon
Aragona	Fink	McKinney	Skaggs
Arbit	Fitzgerald	Meerman	Slagh
BeGole	Glanville	Mentzer	Snyder
Beson	Grant	Miller	St. Germaine
Bezotte	Green, P.	Morgan	Steckloff
Bierlein	Greene, J.	Morse	Stone
Bollin	Haadsma	Mueller	Tate
Borton	Hall	Neeley	Thompson
Brabec	Harris	Neyer	Tisdell
Breen	Hill	O’Neal	Tsernoglou
Brixie	Hoadley	Outman	VanderWall
Bruck	Hood	Paiz	VanWoerkom
Byrnes	Hope	Paquette	Wegela
Carter, B.	Hoskins	Pohutsky	Weiss
Carter, T.	Koleszar	Posthumus	Wendzel
Cavitt	Kuhn	Prestin	Whitsett

Churches	Kunse	Price	Wilson
Coffia	Liberati	Puri	Witwer
Coleman	Lightner	Rheingans	Wozniak
Conlin	MacDonell	Rogers	Young
DeBoer	Markkanen	Schmaltz	Zorn
Dievendorf			

### Nays—12

Beeler	DeSana	Johnsen	Schriver
Carra	Fox	Maddock	Smit
DeBoyer	Friske	Rigas	Steele

In The Chair: Pohutsky

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

### Third Reading of Bills

#### House Bill No. 5059, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2092) by adding section 113.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 471

#### Yeas—105

Aiyash	Dievendorf	Martin	Schuette
Alexander	Edwards	Martus	Scott
Andrews	Farhat	McFall	Shannon
Aragona	Filler	McKinney	Skaggs
Arbit	Fink	Meerman	Slagh
Beeler	Fitzgerald	Mentzer	Smit
BeGole	Fox	Miller	Snyder
Beson	Glanville	Morgan	St. Germaine
Bezotte	Grant	Morse	Steckloff
Bollin	Green, P.	Mueller	Steele
Borton	Haadsma	Neeley	Stone
Brabec	Hall	Neyer	Tate
Breen	Harris	O’Neal	Thompson
Brixie	Hill	Outman	Tisdell
Bruck	Hoadley	Paiz	Tsernoglou
Byrnes	Hood	Paquette	VanderWall
Carra	Hope	Pohutsky	VanWoerkom
Carter, B.	Hoskins	Posthumus	Wegela
Carter, T.	Johnsen	Prestin	Weiss
Cavitt	Koleszar	Price	Wendzel
Churches	Kuhn	Puri	Whitsett
Coffia	Kunse	Rheingans	Wilson
Coleman	Liberati	Rigas	Witwer

Conlin	Lightner	Rogers	Wozniak
DeBoer	MacDonell	Schmaltz	Young
DeBoyer	Markkanen	Schriver	Zorn
DeSana			

**Nays—4**

Bierlein	Friske	Greene, J.	Maddock
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In The Chair: Pohutsky

The House agreed to the title of the bill.  
 Rep. Wilson moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 4158, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2092) by adding section 6d.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 472**

**Yeas—106**

Aiyash	DeSana	Markkanen	Schuette
Alexander	Dievendorf	Martin	Scott
Andrews	Edwards	Martus	Shannon
Aragona	Farhat	McFall	Skaggs
Arbit	Filler	McKinney	Slagh
Beeler	Fink	Meerman	Smit
BeGole	Fitzgerald	Mentzer	Snyder
Beson	Fox	Miller	St. Germaine
Bezotte	Glanville	Morgan	Steckloff
Bierlein	Grant	Morse	Steele
Bollin	Green, P.	Mueller	Stone
Borton	Greene, J.	Neeley	Tate
Brabec	Haadsma	Neyer	Thompson
Breen	Hall	O’Neal	Tisdell
Brixie	Harris	Outman	Tsernoglou
Bruck	Hill	Paiz	VanderWall
Bymes	Hoadley	Paquette	VanWoerkom
Carra	Hood	Pohutsky	Wegela
Carter, B.	Hope	Posthumus	Weiss
Carter, T.	Hoskins	Prestin	Wendzel
Cavitt	Johnsen	Price	Whitsett
Churches	Koleszar	Puri	Wilson
Coffia	Kuhn	Rheingans	Witwer
Coleman	Kunse	Rigas	Wozniak
Conlin	Liberati	Rogers	Young
DeBoer	Lightner	Schmaltz	Zorn
DeBoyer	MacDonell		



The House agreed to the title of the bill.  
Rep. Wilson moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 4154, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” by amending section 92 (MCL 250.1092), as added by 2006 PA 2.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 474**

**Yeas—109**

Aiyash	Dievendorf	Maddock	Schriver
Alexander	Edwards	Markkanen	Schuette
Andrews	Farhat	Martin	Scott
Aragona	Filler	Martus	Shannon
Arbit	Fink	McFall	Skaggs
Beeler	Fitzgerald	McKinney	Slagh
BeGole	Fox	Meerman	Smit
Beson	Friske	Mentzer	Snyder
Bezotte	Glanville	Miller	St. Germaine
Bierlein	Grant	Morgan	Steckloff
Bollin	Green, P.	Morse	Steele
Borton	Greene, J.	Mueller	Stone
Brabec	Haadsma	Neeley	Tate
Breen	Hall	Neyer	Thompson
Brixie	Harris	O’Neal	Tisdell
Bruck	Hill	Outman	Tsernoglou
Byrnes	Hoadley	Paiz	VanderWall
Carra	Hood	Paquette	VanWoerkom
Carter, B.	Hope	Pohutsky	Wegela
Carter, T.	Hoskins	Posthumus	Weiss
Cavitt	Johnsen	Prestin	Wendzel
Churches	Koleszar	Price	Whitsett
Coffia	Kuhn	Puri	Wilson
Coleman	Kunse	Rheingans	Witwer
Conlin	Liberati	Rigas	Wozniak
DeBoer	Lightner	Rogers	Young
DeBoyer	MacDonell	Schmaltz	Zorn
DeSana			

**Nays—0**

In The Chair: Pohutsky

The House agreed to the title of the bill.  
Rep. Wilson moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 4981, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 191 (MCL 168.191), as amended by 2018 PA 120.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 475****Yeas—79**

Aragona	Grant	Mentzer	Snyder
BeGole	Green, P.	Miller	St. Germaine
Beson	Haadsma	Morgan	Steckloff
Bezotte	Hall	Morse	Steele
Bollin	Harris	Mueller	Stone
Borton	Hill	Neeley	Tate
Brabec	Hood	Neyer	Thompson
Breen	Hope	O'Neal	Tisdell
Bruck	Hoskins	Paiz	Tsernoglou
Byrnes	Koleszar	Pohutsky	VanderWall
Carter, B.	Kuhn	Posthumus	VanWoerkom
Carter, T.	Kunse	Prestin	Weiss
Cavitt	Liberati	Puri	Wendzel
Churches	Lightner	Rheingans	Whitsett
Coffia	MacDonell	Rogers	Wilson
Conlin	Markkanen	Schmaltz	Witwer
DeBoer	Martin	Schuette	Wozniak
Filler	Martus	Scott	Young
Fitzgerald	McFall	Shannon	Zorn
Glanville	McKinney	Slagh	

**Nays—30**

Aiyash	Coleman	Friske	Paquette
Alexander	DeBoyer	Greene, J.	Price
Andrews	DeSana	Hoadley	Rigas
Arbit	Dievendorf	Johnsen	Schrivver
Beeler	Edwards	Maddock	Skaggs
Bierlein	Farhat	Meerman	Smit
Brixie	Fink	Outman	Wegela
Carra	Fox		

In The Chair: Pohutsky

The House agreed to the title of the bill.

Rep. Wilson moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Rigas, Hoadley, DeBoyer, Johnsen and Alexander moved that their names be removed as co-sponsors of the bill.

The motion prevailed.

**House Bill No. 4048, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 25 (MCL 432.25), as amended by 1998 PA 465.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 476****Yeas—106**

Aiyash	Edwards	Martin	Schuette
Alexander	Farhat	Martus	Scott
Andrews	Filler	McFall	Shannon



Aragona	Fink	McKinney	Skaggs
Arbit	Fitzgerald	Meerman	Slagh
Beeler	Fox	Mentzer	Smit
BeGole	Friske	Miller	Snyder
Beson	Glanville	Morgan	St. Germaine
Bezotte	Grant	Morse	Steckloff
Bierlein	Green, P.	Mueller	Steele
Bollin	Greene, J.	Neeley	Stone
Borton	Haadsma	Neyer	Tate
Brabec	Hall	O'Neal	Thompson
Breen	Harris	Outman	Tisdell
Brixie	Hill	Paiz	Tsernoglou
Byrnes	Hoadley	Paquette	VanderWall
Carra	Hood	Pohutsky	VanWoerkom
Carter, B.	Hope	Posthumus	Wegela
Carter, T.	Hoskins	Prestin	Weiss
Cavitt	Johnsen	Price	Wendzel
Coffia	Koleszar	Puri	Whitsett
Coleman	Kuhn	Rheingans	Wilson
Conlin	Kunse	Rigas	Witwer
DeBoer	Liberati	Rogers	Wozniak
DeBoyer	Lightner	Schmaltz	Young
DeSana	MacDonell	Schrivver	Zorn
Dievendorf	Markkanen		

**Nays—3**

Bruck	Churches	Maddock
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In The Chair: Pohutsky

The House agreed to the title of the bill.  
 Rep. Wilson moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 4605, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 25 (MCL 205.75), as amended by 2021 PA 108.

The bill was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 477**

**Yeas—52**

Andrews	Edwards	Martus	Rogers
Arbit	Farhat	McFall	Scott
Brabec	Fitzgerald	McKinney	Shannon
Breen	Glanville	Mentzer	Snyder
Brixie	Grant	Miller	Steckloff
Byrnes	Haadsma	Morgan	Stone
Carter, B.	Hill	Morse	Tate
Carter, T.	Hood	Neeley	Tsernoglou
Churches	Hope	O'Neal	Weiss

Coffia	Hoskins	Paiz	Whitsett
Coleman	Koleszar	Pohutsky	Wilson
Conlin	Liberati	Price	Witwer
Dievendorf	MacDonell	Rheingans	Young

**Nays—51**

Alexander	DeSana	Maddock	Schuette
Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine
Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Hall	Outman	Tisdell
Borton	Harris	Paquette	VanderWall
Bruck	Hoadley	Posthumus	VanWoerkom
Carra	Johnsen	Prestin	Wendzel
Cavitt	Kuhn	Rigas	Wozniak
DeBoer	Kunse	Schmaltz	Zorn
DeBoyer	Lightner	Schrivver	

In The Chair: Pohutsky

Rep. DeBoer having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I have consistently supported additional funding for our brave law enforcement officers, because making our local community safer and protecting victims will always be a top priority for me at the Capitol. We need more police on the streets, and those officers need the right tools to stay safe and fight crime effectively. My local law enforcement officers need new recruits, new equipment, safer vehicles, and more reliable personal protection. House Bill 4605 does not give them those tools. I am voting no because far too much of our funding bypasses our police in this bill and is instead funneled to the governor’s healthcare bureaucracy. There, that money could be used for a whole host of social justice programs that completely ignore our law enforcement. Efforts to clarify that ambiguity and dedicate that funding to actual public safety efforts were rejected. We need a real commitment to public safety and very clear spending bills that spend our public safety dollars on out top priorities. Without that, I cannot support this bill.”

Rep. Harris, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

As a 26 year law enforcement officer, I have consistently supported additional funding for our brave law enforcement officers. Making our local community safer and protecting victims will always be a top priority for me at the Capitol. We need more police on the streets, and those officers need the right tools to stay safe and fight crime effectively. My local law enforcement officers need new recruits, new equipment, safer vehicles, and more reliable personal protection. House Bill 4605 does not give them those tools. I am voting no because far too much of our limited funding bypasses our police in this bill and is instead funneled to the governor’s healthcare bureaucracy. There, that money could be used for a whole host of social justice programs that completely ignore our law enforcement. Efforts to clarify that ambiguity and dedicate that funding to actual public safety efforts were rejected. We need a real commitment to public safety and very clear spending bills that spend our public safety dollars on our top priorities. Without that, I cannot support this bill.”

Rep. Schmaltz, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I will always support our law enforcement. I have consistently supported additional funding for our brave law enforcement officers, because making our local community safer and protecting victims will always be a top priority for me at the Capitol. We need more police on the streets, and those officers need the right tools to stay safe and fight crime effectively. My local law enforcement officers need new recruits, new equipment, safer vehicles, and more reliable personal protection. House Bill 4605 does not give them those tools. I am voting no because far too much of our limited funding bypasses our police in this bill and is instead funneled to the governor’s healthcare bureaucracy. There, that money could be used for a whole host of social justice programs that completely ignore our law enforcement. Efforts to clarify that ambiguity and dedicate that funding to actual public safety efforts were rejected. We need a real commitment to public safety and very clear spending bills that spend our public safety dollars on our top priorities. Without that, I cannot support this bill.”

Rep. Jaime Greene, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I consistently advocate for increased funding to support our courageous law enforcement officers, prioritizing the safety of our local community and the well-being of victims. Ensuring there are more police officers on our streets equipped with the necessary tools is paramount to effective crime prevention. My stance remains firm on the need for new recruits, upgraded equipment, safer vehicles, and reliable personal protection for our local law enforcement.

Regrettably, House Bill 4605 falls short in providing these essential resources. My dissenting vote stems from the bill’s allocation of funding, which, in my view, inadequately supports our police force. Instead, a significant portion of the limited funding is directed towards the governor’s healthcare bureaucracy. While I recognize the importance of healthcare initiatives, I firmly believe that these funds should be channeled into enhancing public safety efforts, specifically benefiting our law enforcement agencies.

Efforts to amend the bill and redirect the funding towards genuine public safety endeavors were unfortunately rebuffed. I firmly advocate for transparent and targeted spending, ensuring our public safety dollars are allocated to our highest priorities. Without a clear commitment to bolstering public safety and a precise allocation of resources, I find it impossible to lend my support to this bill.”

Rep. Phil Green, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I have consistently supported additional funding for our brave law enforcement officers, because making our local community safer and protecting victims will always be a top priority for me at the Capitol. We need more police on the streets, and those officers need the right tools to stay safe and fight crime effectively. My local law enforcement officers need new recruits, new equipment, safer vehicles, and more reliable personal protection. This version of House Bill 4605 does not give them those tools. I am voting no because these bills leave out the local units of government, specifically the townships that provide policing to their communities. I want to see all local units of government that provide law enforcement to receive these funds. Without that, I cannot support this bill.”

Reps. Hall, Tisdell and Thompson having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I have consistently supported additional funding for our brave law enforcement officers, because making our local community safer and protecting victims will always be a top priority for me at the Capitol. We need more police on the streets, and those officers need the right tools to stay safe and fight crime effectively. My local law enforcement officers need new recruits, new equipment, safer vehicles, and more reliable personal protection. House Bill 4605 does not give them those tools. I am voting no because far too much of our limited funding bypasses our police in this bill and is instead funneled to the governor’s healthcare bureaucracy. There, that money could be used for a whole host of social justice programs that completely ignore our law enforcement. Efforts to clarify that ambiguity and dedicate that funding to actual public safety efforts were rejected. We need a real commitment to public safety and very clear spending bills that spend our public safety dollars on our top priorities. Without that, I cannot support this bill.”

Rep. Aiyash moved to reconsider the vote by which the House did not pass the bill. The motion prevailed, a majority of the members serving voting therefor. The question being on the passage of the bill,

Rep. Aiyash moved that consideration of the bill be postponed temporarily. The motion prevailed.



Rep. Aiyash moved that House Committees be given leave to meet during the balance of today’s session. The motion prevailed.

By unanimous consent the House returned to the order of  
**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills and joint resolution had been reproduced and made available electronically on Wednesday, November 1:

**House Bill Nos. 5286 5287 5288 5289 5290**  
**Senate Bill Nos. 625 626 627 628 629 630 631 632 633 634 635 636 637**  
**638**  
**Senate Joint Resolution H**

**Reports of Standing Committees**

The Committee on Labor, by Rep. Haadsma, Chair, reported

**House Bill No. 4688, entitled**

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations,” by amending sections 11 and 15 (MCL 423.211 and 423.215), section 15 as amended by 2023 PA 9.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Haadsma, Mentzer, Koleszar, O’Neal, Andrews, Churches and Wegela

Nays: Rep. Kunse

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Haadsma, Chair, of the Committee on Labor, was received and read: Meeting held on: Thursday, November 2, 2023

Present: Reps. Haadsma, Mentzer, Koleszar, O’Neal, Andrews, Churches, Wegela, Wozniak, Mueller and Kunse

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**House Bill No. 5027, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 109o.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller, Rheingans, VanderWall and Thompson

Nays: None

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**House Bill No. 5167, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109o.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller, Rheingans, VanderWall, Filler, Mueller, Roth, Schmaltz and Thompson

Nays: None

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**House Bill No. 5168, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406z.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller, Rheingans, VanderWall, Filler, Mueller, Roth, Schmaltz and Thompson

Nays: None

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**House Bill No. 5169, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9137.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller, Rheingans, VanderWall, Mueller, Roth, Schmaltz and Thompson

Nays: None

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**House Bill No. 5170, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406z.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller, Rheingans, VanderWall and Thompson

Nays: None

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**House Bill No. 5171, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2022 PA 98.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller and Rheingans

Nays: None

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**House Bill No. 5172, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9129.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller and Rheingans

Nays: Reps. VanderWall, Mueller and VanWoerkom

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**House Bill No. 5173, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20165 (MCL 333.20165), as amended by 2008 PA 39, and by adding section 21537.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller, Rheingans, VanderWall and Thompson

Nays: None

The Committee on Health Policy, by Rep. Rogers, Chair, reported

**Senate Bill No. 133, entitled**

A bill to provide for the review and prevention of deaths from drug overdose in this state; to allow for the creation of overdose fatality review teams; to provide for the powers and duties of the overdose fatality

review teams; to regulate certain entities; to prescribe powers and duties of certain state and local governmental officers and entities; and to prescribe remedies for a violation of this act.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller and Rheingans

Nays: Rep. VanderWall

The Committee on Health Policy, by Rep. Rogers, Chair, reported

#### **Senate Bill No. 227, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 1, 2b, and 2c (MCL 722.111, 722.112b, and 722.112c), section 1 as amended by 2022 PA 208, section 2b as amended by 2007 PA 217, and section 2c as amended by 2017 PA 257.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller, Rheingans, VanderWall, Filler, Mueller, VanWoerkom, Roth, Schmaltz and Thompson

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rogers, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Thursday, November 2, 2023

Present: Reps. Rogers, Brenda Carter, Haadsma, Neeley, Glanville, Coffia, Conlin, Farhat, Fitzgerald, Miller, Rheingans, VanderWall, Filler, Mueller, VanWoerkom, Roth, Schmaltz and Thompson

Absent: Rep. Whitsett

Excused: Rep. Whitsett

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brenda Carter, Chair, of the Committee on Insurance and Financial Services, was received and read:

Meeting held on: Thursday, November 2, 2023

Present: Reps. Brenda Carter, McFall, Coleman, Stone, Breen, Rogers, Scott, Young, Fitzgerald, Grant, Harris, Bezotte, Aragona, Bruck, Neyer and Smit

Absent: Rep. Markkanen

Excused: Rep. Markkanen

#### **Introduction of Bills**

Reps. Breen and Hope introduced

#### **House Bill No. 5291, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit

the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 5o (MCL 28.425o), as amended by 2017 PA 95.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Stone, Price, Rheingans, Brabec, MacDonell, McKinney and Hood introduced  
**House Bill No. 5292, entitled**

A bill to require employers to provide breaks for employees to breastfeed a nursing child or express breast milk for a nursing child; to provide for the conditions under which the breaks must be taken; to provide for the powers and duties of certain state governmental officers and entities; and to provide sanctions and remedies.

The bill was read a first time by its title and referred to the Committee on Labor.

Reps. Stone, Price, Rheingans, Brabec, MacDonell, McKinney, Hood, Wilson and Brixie introduced  
**House Bill No. 5293, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20194 (MCL 333.20194), as amended by 2003 PA 3.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Stone, Price, Rheingans, Brabec, MacDonell, McKinney, Hood, Wilson and Brixie introduced  
**House Bill No. 5294, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending sections 2 and 32b (MCL 421.2 and 421.32b), section 2 as amended by 2011 PA 268 and section 32b as amended by 2011 PA 269, and by adding section 32e.

The bill was read a first time by its title and referred to the Committee on Labor.

Reps. Bezotte, Wozniak, BeGole and Bruck introduced  
**House Bill No. 5295, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7303a, 16325, 16331, 17001, 17011, 17501, and 17511 (MCL 333.7303a, 333.16325, 333.16331, 333.17001, 333.17011, 333.17501, and 333.17511), section 7303a as amended by 2019 PA 43, sections 16325 and 16331 as added by 1993 PA 80, section 17001 as amended by 2018 PA 624, sections 17011 and 17511 as amended by 2006 PA 398, and section 17501 as amended by 2018 PA 524, and by adding sections 16325a, 17034, 17034a, 17034b, 17534, 17534a, and 17534b.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Paquette, Bezotte, Wozniak, Kunse, Rigas, Schriver, Thompson, Fox and Zorn introduced  
**House Joint Resolution I, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 13 of article IV, to limit the legislative session.

The joint resolution was read a first time by its title and referred to the Committee on Government Operations.

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Rep. Posthumus moved that Rep. Kuhn be excused temporarily from today’s session.  
The motion prevailed.



By unanimous consent the House returned to the order of  
**Reports of Select Committees**

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning  
**House Bill No. 4292, entitled**

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, and certain other state purposes for the fiscal year ending September 30, 2024; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies and capital outlay purposes for the fiscal years ending September 30, 2023 and September 30, 2024; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**  
 PART 1  
 LINE-ITEM APPROPRIATIONS  
 FOR FISCAL YEAR 2023-2024

Sec. 101. There is appropriated for various state departments and agencies and capital outlay purposes to supplement appropriations for the fiscal year ending September 30, 2024, from the following funds:

<b>APPROPRIATION SUMMARY</b>	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	33.0
<b>GROSS APPROPRIATION</b>	<b>\$ 275,759,900</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 275,759,900</b>
Federal revenues:	
Total federal revenues	55,000,000
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	117,070,000
<b>State general fund/general purpose</b>	<b>\$ 103,689,900</b>
<b>Sec. 102. CAPITAL OUTLAY</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 1,300</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 1,300</b>
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 1,300</b>

For Fiscal Year  
Ending Sept. 30,  
2024

**(2) UNIVERSITIES AND COMMUNITY COLLEGE PLANNING  
AUTHORIZATIONS**

Eastern Michigan University – Engineering and technology complex – phase II – Roosevelt Hall - for program and planning to be paid for from university resources (estimated total authorized cost \$42,500,000; state share \$30,000,000; university share \$12,500,000)	\$	100
Grand Valley State University – Blue dot lab – for program and planning to be paid for from university resources (estimated total authorized cost \$140,000,000; state share \$30,000,000; university share \$110,000,000)		100
Northern Michigan University – Northern enterprise center (college of business) - for program and planning to be paid for from university resources (estimated total authorized cost \$19,100,000; state share \$13,370,000; university share \$5,730,000)		100
Oakland University – Science complex renovation project - for program and planning to be paid for from university resources (estimated total authorized cost \$40,000,000; state share \$30,000,000; university share \$10,000,000)		100
Saginaw Valley State University – Lake Huron environmental sciences research station – for program and planning to be paid for from university resources (estimated total authorized cost \$10,000,000; state share \$7,500,000; university share \$2,500,000)		100
University of Michigan – Flint – Innovation and technology complex – for program and planning to be paid for from university resources (estimated total authorized cost \$40,000,000; state share \$30,000,000; university share \$10,000,000)		100
Wayne State University – Wayne law classroom building – for program and planning to be paid for from university resources (estimated total authorized cost \$40,000,000; state share \$30,000,000; university share \$10,000,000)		100
Delta College – Information technology and computer science (k wing) renovation – for program and planning to be paid for from college resources (estimated total authorized cost \$5,701,700; state share \$2,423,200; college share \$3,278,500)		100
Grand Rapids Community College – Learning resource center/library learning commons project – for program and planning to be paid for from college resources (estimated total authorized cost \$33,600,000; state share \$16,800,000; college share \$16,800,000)		100
Kalamazoo Valley Community College – Automotive technology/advanced manufacturing wing – for program and planning to be paid for from college resources (estimated total authorized cost \$39,000,000; state share \$19,500,000; college share \$19,500,000)		100
Macomb Community College – Mobility and sustainability education center – for program and planning to be paid for from college resources (estimated total authorized cost \$58,554,100; state share \$26,349,300; college share \$32,204,800)		100
C.S. Mott Community College – PrahL college center renovation - for program and planning to be paid for from college resources (estimated total authorized cost \$30,500,000; state share \$12,500,000; college share \$18,000,000)		100
Wayne County Community College – Center for virtual learning and digital careers - for program and planning to be paid for from college resources (estimated total authorized cost \$11,564,200; state share \$5,782,100; college share \$5,782,100)		100
<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>1,300</b>

	For Fiscal Year Ending Sept. 30, 2024
Appropriated from:	
<b>State general fund/general purpose</b>	<b>\$ 1,300</b>
<b>Sec. 103. DEPARTMENT OF EDUCATION</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 3,000,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 3,000,000</b>
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	3,000,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(2) ONE-TIME APPROPRIATIONS</b>	
School infrastructure grant	\$ 3,000,000
<b>GROSS APPROPRIATION</b>	<b>\$ 3,000,000</b>
Appropriated from:	
Special revenue funds:	
School consolidation and infrastructure fund	3,000,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>Sec. 104. DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated classified positions	3.0
<b>GROSS APPROPRIATION</b>	<b>\$ 102,000,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 102,000,000</b>
Federal revenues:	
Total federal revenues	55,000,000
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 47,000,000</b>
<b>(2) ONE-TIME APPROPRIATIONS</b>	
Full-time equated classified positions	3.0
ARP - healthy hydration	\$ 50,000,000
Clean drinking water act implementation--FTEs	3.0 2,000,000
Drinking water infrastructure grant program	5,000,000
Drinking water infrastructure settlement agreement	30,000,000
PFAS remediation grant program	15,000,000
<b>GROSS APPROPRIATION</b>	<b>\$ 102,000,000</b>
Appropriated from:	
Federal revenues:	
Coronavirus state fiscal recovery fund	55,000,000
<b>State general fund/general purpose</b>	<b>\$ 47,000,000</b>
<b>Sec. 105. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 0</b>

	For Fiscal Year Ending Sept. 30, 2024
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	\$ 0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 0</b>
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(2) ONE-TIME APPROPRIATIONS</b>	
Behavioral health patient health information tool	\$ (2,000,000)
Improving behavioral health access	2,000,000
Environmental public health program	(500,000)
Environmental public health program	500,000
Medical debt relief pilot program	(4,500,000)
Medical debt relief pilot program	4,500,000
Substance use treatment center	(10,000,000)
Substance use treatment center	10,000,000
<b>GROSS APPROPRIATION</b>	<b>\$ 0</b>
Appropriated from:	
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>Sec. 106. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 25,780,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 25,780,000</b>
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 25,780,000</b>
<b>(2) ONE-TIME APPROPRIATIONS</b>	
Community center grants	\$ 4,000,000
Community enhancement grants	16,300,000
Digital workforce development	(4,900,000)
Digital workforce development	4,900,000
Michigan enhancement grants	1,000,000
New Michigander support	(3,000,000)
New Michigander support	3,000,000
Paid family leave actuarial study	250,000
Public infrastructure grants	1,580,000
Public safety grants	150,000
Talent investment pilot	(5,000,000)
Talent investment pilot	5,000,000
Workforce development grants	2,500,000
<b>GROSS APPROPRIATION</b>	<b>\$ 25,780,000</b>
Appropriated from:	
<b>State general fund/general purpose</b>	<b>\$ 25,780,000</b>

For Fiscal Year  
Ending Sept. 30,  
2024

<b>Sec. 107. DEPARTMENT OF LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL</b>		
<b>(1) APPROPRIATION SUMMARY</b>		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	30.0	
<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>6,508,600</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$</b>	<b>6,508,600</b>
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
<b>State general fund/general purpose</b>	<b>\$</b>	<b>6,508,600</b>
<b>(2) DEPARTMENTAL ADMINISTRATION AND SUPPORT</b>		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	30.0	
Unclassified salaries—FTEs	6.0\$	749,700
Executive direction and support operations—FTEs	30.0	5,758,900
<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>6,508,600</b>
Appropriated from:		
<b>State general fund/general purpose</b>	<b>\$</b>	<b>6,508,600</b>
<b>Sec. 108. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET</b>		
<b>(1) APPROPRIATION SUMMARY</b>		
<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>7,500,000</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$</b>	<b>7,500,000</b>
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
<b>State general fund/general purpose</b>	<b>\$</b>	<b>7,500,000</b>
<b>(2) ONE-TIME APPROPRIATIONS</b>		
Healthcare supply chain technology	\$	7,500,000
<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>7,500,000</b>
Appropriated from:		
<b>State general fund/general purpose</b>	<b>\$</b>	<b>7,500,000</b>
<b>Sec. 109. STATE DEPARTMENT OF TRANSPORTATION</b>		
<b>(1) APPROPRIATION SUMMARY</b>		
<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>3,900,000</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$</b>	<b>3,900,000</b>
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0

	For Fiscal Year Ending Sept. 30, 2024
Total private revenues	\$ 0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 3,900,000</b>
<b>(2) ONE-TIME APPROPRIATIONS</b>	
Critical infrastructure projects	\$ 3,900,000
<b>GROSS APPROPRIATION</b>	<b>\$ 3,900,000</b>
Appropriated from:	
<b>State general fund/general purpose</b>	<b>\$ 3,900,000</b>
<b>Sec. 110. DEPARTMENT OF TREASURY</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 127,070,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 127,070,000</b>
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	114,070,000
<b>State general fund/general purpose</b>	<b>\$ 13,000,000</b>
<b>(2) ONE-TIME APPROPRIATIONS</b>	
Late-qualifying eligible manufacturing personal property tax reimbursement	\$ 10,000,000
Municipal facilities infrastructure	3,000,000
School district emergency loan debt relief	114,070,000
<b>GROSS APPROPRIATION</b>	<b>\$ 127,070,000</b>
Appropriated from:	
Special revenue funds:	
School aid fund	114,070,000
<b>State general fund/general purpose</b>	<b>\$ 13,000,000</b>

PART 1A

LINE-ITEM APPROPRIATIONS  
FOR FISCAL YEAR 2022-2023

Sec. 150. There is appropriated for various state departments and agencies and capital outlay purposes to supplement appropriations for the fiscal year ending September 30, 2023, from the following funds:

<b>APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 339,808,300</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 339,808,300</b>
Federal revenues:	
Total federal revenues	319,483,300
Special revenue funds:	
Total local revenues	1,600,000
Total private revenues	0
Total other state restricted revenues	2,000,000
<b>State general fund/general purpose</b>	<b>\$ 16,725,000</b>
<b>Sec. 151. DEPARTMENT OF CORRECTIONS</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 1,600,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 1,600,000</b>

	For Fiscal Year Ending Sept. 30, 2023
Federal revenues:	
Total federal revenues	\$ 0
Special revenue funds:	
Total local revenues	1,600,000
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(2) CORRECTIONAL FACILITIES</b>	
Detroit Detention Center	\$ 1,600,000
<b>GROSS APPROPRIATION</b>	<b>\$ 1,600,000</b>
Appropriated from:	
Special revenue funds:	
Local funds	1,600,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>Sec. 152. DEPARTMENT OF EDUCATION</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 40,266,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 40,266,000</b>
Federal revenues:	
Total federal revenues	40,266,000
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(2) MICHIGAN OFFICE OF GREAT START</b>	
Child development and care public assistance	\$ 40,000,000
<b>GROSS APPROPRIATION</b>	<b>\$ 40,000,000</b>
Appropriated from:	
Federal revenues:	
Federal revenues	40,000,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(3) ONE-TIME APPROPRIATIONS</b>	
ARP - farm to school grant	\$ 266,000
<b>GROSS APPROPRIATION</b>	<b>\$ 266,000</b>
Appropriated from:	
Federal revenues:	
Federal revenues	266,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>Sec. 153. DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 2,084,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 2,084,000</b>
Federal revenues:	
Total federal revenues	2,084,000
Special revenue funds:	
Total local revenues	0
Total private revenues	0

	For Fiscal Year Ending Sept. 30, 2023
Total other state restricted revenues	\$ 0
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(2) DEPARTMENTAL ADMINISTRATION AND SUPPORT</b>	
Executive direction	\$ 1,060,000
<b>GROSS APPROPRIATION</b>	<b>\$ 1,060,000</b>
Appropriated from:	
Federal revenues:	
Federal funds	1,060,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(3) OFFICE OF THE GREAT LAKES</b>	
Coastal management grants	\$ 150,000
<b>GROSS APPROPRIATION</b>	<b>\$ 150,000</b>
Appropriated from:	
Federal revenues:	
Infrastructure investment and jobs act fund	150,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(4) WATER RESOURCES DIVISION</b>	
Federal - Great Lakes remedial action plan grants	\$ 814,000
Water resource programs	60,000
<b>GROSS APPROPRIATION</b>	<b>\$ 874,000</b>
Appropriated from:	
Federal revenues:	
Infrastructure investment and jobs act fund	874,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>Sec. 154. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 40,015,600</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 40,015,600</b>
Federal revenues:	
Total federal revenues	40,015,600
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(2) AGING SERVICES</b>	
Community services	\$ 168,600
<b>GROSS APPROPRIATION</b>	<b>\$ 168,600</b>
Appropriated from:	
Federal revenues:	
Total other federal revenues	168,600
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(3) ONE-TIME APPROPRIATIONS</b>	
ARP - data modernization	\$ 4,231,300
ARP - epidemiology and lab capacity genomic sequencing	7,398,900
ARP - senior centers	(18,500,000)
ARP - senior centers	18,500,000
ARP - strengthening U.S. public health infrastructure, workforce, and data systems	13,721,100
Bridge access and confidence programs	336,500
Critical child welfare infrastructure	(15,000,000)



	For Fiscal Year Ending Sept. 30, 2023
Critical child welfare infrastructure	\$ 15,000,000
COVID-19 bridge access and confidence programs	3,283,200
COVID-19 epidemiology and lab capacity healthcare associated infection and antibiotic resistant program	6,194,200
COVID-19 national wastewater surveillance system	3,662,000
Strengthening U.S. public health infrastructure, workforce, and data systems	1,019,800
<b>GROSS APPROPRIATION</b>	<b>\$ 39,847,000</b>
Appropriated from:	
Federal revenues:	
Coronavirus state fiscal recovery fund	0
Total other federal revenues	39,847,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>Sec. 155. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 14,725,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 14,725,000</b>
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 14,725,000</b>
<b>(2) MILITARY</b>	
Military training sites and support facilities	\$ 225,000
<b>GROSS APPROPRIATION</b>	<b>\$ 225,000</b>
Appropriated from:	
<b>State general fund/general purpose</b>	<b>\$ 225,000</b>
<b>(3) MICHIGAN VETERANS ' FACILITY AUTHORITY</b>	
Chesterfield Township home for veterans	\$ 4,600,000
Grand Rapids home for veterans	8,500,000
Michigan veteran homes administration	1,400,000
<b>GROSS APPROPRIATION</b>	<b>\$ 14,500,000</b>
Appropriated from:	
<b>State general fund/general purpose</b>	<b>\$ 14,500,000</b>
<b>Sec. 156. DEPARTMENT OF NATURAL RESOURCES</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 4,000,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 4,000,000</b>
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	2,000,000
<b>State general fund/general purpose</b>	<b>\$ 2,000,000</b>
<b>(2) CAPITAL OUTLAY - RECREATIONAL LANDS AND INFRASTRUCTURE</b>	
Mass timber facility Newberry customer service center	\$ 4,000,000
<b>GROSS APPROPRIATION</b>	<b>\$ 4,000,000</b>

	For Fiscal Year Ending Sept. 30, 2023
Appropriated from:	
Special revenue funds:	
Forest development fund	\$ 2,000,000
<b>State general fund/general purpose</b>	<b>\$ 2,000,000</b>
<b>Sec. 157. DEPARTMENT OF STATE POLICE</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 3,000,000</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 3,000,000</b>
Federal revenues:	
Total federal revenues	3,000,000
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(2) SPECIALIZED SERVICES</b>	
Highway safety planning	\$ 3,000,000
<b>GROSS APPROPRIATION</b>	<b>\$ 3,000,000</b>
Appropriated from:	
Federal revenues:	
DOT	3,000,000
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>Sec. 158. STATE DEPARTMENT OF TRANSPORTATION</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
<b>GROSS APPROPRIATION</b>	<b>\$ 234,117,700</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$ 234,117,700</b>
Federal revenues:	
Total federal revenues	234,117,700
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
<b>State general fund/general purpose</b>	<b>\$ 0</b>
<b>(2) ROAD AND BRIDGE PROGRAMS</b>	
State trunkline federal aid and road and bridge construction	\$ 234,117,700
<b>GROSS APPROPRIATION</b>	<b>\$ 234,117,700</b>
Appropriated from:	
Federal revenues:	
Federal aid - transportation programs	234,117,700
<b>State general fund/general purpose</b>	<b>\$ 0</b>

PART 2  
PROVISIONS CONCERNING APPROPRIATIONS  
FOR FISCAL YEAR 2023-2024

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for the fiscal year ending September 30, 2024 is \$220,759,900.00 and total state spending from state sources to be paid to local units of government is \$148,970,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

<b>CAPITAL OUTLAY</b>	
Delta College - Information technology and computer science (k wing) renovation	\$ 100

	For Fiscal Year Ending Sept. 30, 2024	
Grand Rapids Community College - Learning resource center/library learning commons project	\$	100
Kalamazoo Community College – Automotive technology/advanced manufacturing wing		100
Macomb Community College - Mobility and sustainability education center		100
C.S. Mott Community College - PrahL college center renovation		100
Wayne County Community College - Center for virtual learning and digital careers		100
Subtotal	\$	600
<b>DEPARTMENT OF EDUCATION</b>		
School infrastructure grant	\$	3,000,000
Subtotal	\$	3,000,000
<b>DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY</b>		
PFAS remediation grant program	\$	15,000,000
Subtotal	\$	15,000,000
<b>TRANSPORTATION</b>		
Critical infrastructure projects	\$	3,900,000
Subtotal	\$	3,900,000
<b>TREASURY</b>		
Late-qualifying eligible manufacturing personal property tax reimbursement	\$	10,000,000
Municipal facilities infrastructure		3,000,000
School district emergency loan debt relief		114,070,000
Subtotal	\$	127,070,000
<b>TOTAL</b>	<b>\$</b>	<b>148,970,600</b>

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

Sec. 203. Funds appropriated in part 1 must be allocated and expended in a manner consistent with federal rules and regulations.

Sec. 204. Funds appropriated in part 1 are subject to applicable federal audit and reporting requirements. Prompt action shall be taken if instances of noncompliance are identified, including noncompliance identified in an audit finding. If any instance of noncompliance is identified, including noncompliance identified in an audit finding, the state budget director must take necessary and immediate action to rectify it. The state budget director must notify the senate and house appropriations committees and the senate and house fiscal agencies when an instance of noncompliance is identified.

Sec. 205. The state budget director must report on the status of funds appropriated in part 1, and all funds appropriated related to the coronavirus relief effort, to the senate and house appropriations committees and the senate and house fiscal agencies on a monthly basis until all funds are exhausted.

Sec. 206. (1) For any grant program or project funded in part 1 intended for a single recipient organization or local government, the grant program or project is for a public purpose and departments must follow procurement statutes of this state, including any bidding requirements, unless departments can fully validate, through information detailed in this part or public supporting documents, both of the following:

- (a) The specific organization or unit of local government that will receive or administer the funds.
- (b) How the funds will be administered and expended.

(2) Notwithstanding any other conditions or requirements for direct appropriation grants, departments must perform at least all of the following activities to administer the grants described in subsection (1):

(a) Develop a standard application process, grantee reporting requirements, and any other necessary documentation, including sponsorship information as specified under subsection (3).

(b) Establish a process to review, complete, and execute a grant agreement with a grant recipient. Grant agreements must be executed by departments only if all necessary documentation has been submitted and reviewed.

(c) Verify to the extent possible that a grant recipient will utilize funds for a public purpose that serves the economic prosperity, health, safety, or general welfare of the residents of this state.

(d) Review and verify all necessary information to ensure the grant recipient is reasonably able to execute the grant agreement and perform its fiduciary duty and is in compliance with all applicable state and federal statutes. Departments may deduct the cost of background checks performed as part of this verification from the amount of the designated grant award.

(e) Establish a standard timeline to review all documents submitted by grant recipients and provide a response within 45 business days regarding whether submitted documents by a grant recipient are sufficient or in need of additional information.

(3) A sponsor of a grant described in subsection (1) must be a legislator or the department. A legislative sponsor must be identified through a letter submitted by that legislator's office to the department and state budget director listing the grant recipient, the intended amount of the grant, a certification from that legislator that the grant is for a public purpose, and the specific citation of section and subsection of the public act that authorizes the grant, as applicable. If a legislative sponsor is not identified before January 15, 2024, or 30 days after the effective date of this act, departments must do 1 of the following:

(a) Identify the department as the sponsor.

(b) Decline to execute the grant agreement.

(4) An executed grant agreement under this section between the department and a grant recipient shall include, but not be limited to, all of the following:

(a) All necessary identifying information for the grant recipient, including any tax and financial information for departments to administer funds under this section.

(b) A description of the project for which the grant funds will be expended, including tentative timelines and the estimated budget. No expenditures outside of the project purpose, as stated in the executed grant agreement, shall be reimbursed from appropriations in part 1.

(c) Unless otherwise specified in department policy, a requirement that funds appropriated for the grants described in subsection (1) may be used only for expenditures that occur on or after the effective date of this act.

(d) At the discretion of departments, an initial disbursement of 50% to the grant recipient upon execution of the grant agreement consistent with part II, chapter 10, section 200 of the Financial Management Guide.

(e) A requirement that after the initial 50% disbursement, additional funds shall be disbursed only after verification that the initial payment has been fully expended, in accordance with the project purpose. The remaining funds must be disbursed after the grantee has provided sufficient documentation, as determined by departments, to verify that all expenditures were made in accordance with the project purpose.

(f) A requirement for reporting from the recipient to the department that provides the status of the project and an accounting of all funds expended by the recipient, as determined by the department.

(g) A claw-back provision that allows the department of treasury to recoup or otherwise collect any funds that are declined, unspent, or otherwise misused.

(5) If appropriate to improve the administration or oversight of a grant described in subsection (1), departments may adopt a memorandum of understanding with other state departments to perform the required duties under this section.

(6) A grant recipient must respond to all reasonable information requests from departments related to grant expenditures and retain grant records for a period of not less than 7 years, and the grant may be subject to monitoring, site visits, and audits as determined by departments. The grant agreement required under this section must include signed assurance by the chief executive officer or other executive officer of the grant recipient that this requirement will be met.

(7) All funds awarded shall be expended by the grant recipient, and projects completed, by September 30, 2028. If, at that time, any unexpended funds remain, those funds must be returned by the grant recipient to the state treasury. If a grant recipient does not provide information sufficient to execute a grant agreement by June 1, 2024, funds associated with that grant must be returned to the state treasury.

(8) Any funds that are granted to a state department are appropriated in that department for the purpose of the intended grant.

(9) The state budget director may, on a case-by-case basis, extend the deadline in subsection (7) on request by a grant recipient. The state budget director must notify the chairs of the senate and house appropriations committees not later than 5 days after an extension is granted.

(10) Departments must post a report in a publicly accessible location on their websites not later than September 30, 2024. Reports must list the grant recipient, project purpose, and location of the project for each grant described in subsection (1), the status of funds allocated and disbursed under the grant agreement, and the legislative sponsor, if applicable.

(11) As applicable, the legislative sponsor of a grant described in subsection (1) must comply with all applicable laws concerning conflicts of interest in seeking a direct grant. A legislative sponsor must not seek a grant for a recipient if a conflict of interest exists.

(12) If departments reasonably determine the funds allocated for an executed grant agreement under this section were misused or their use misrepresented by the grant recipient, departments must not award any additional funds under that executed grant agreement and must refer the grant for review following internal audit protocols.

#### **CAPITAL OUTLAY**

Sec. 301. For the state building authority financed construction authorization in sections 302 and 303, the legislature hereby determines that the leases of the facilities from the authority are for a public purpose as authorized by 1964 PA 183, MCL 830.411 to 830.425. The legislature approves and authorizes the leases and conveyance of the properties to the state building authority, the state building authority acquiring the facilities and leasing them to this state and the educational institution, as applicable, and the governor and secretary of state executing the leases for and on behalf of this state pursuant to the requirements of 1964 PA 183, MCL 830.411 to 830.425. Per the requirements of the leases, it is the intent of the legislature to annually appropriate sufficient amounts to pay the rent as obligated pursuant to the leases.

Sec. 302. The cost to construct the department of technology, management, and budget – new comprehensive state public health and environmental science laboratory project, initially authorized for construction in 2022 PA 166, is hereby increased by \$66,000,000.00 to a new total project cost of \$326,000,000.00 (coronavirus state fiscal recovery fund \$260,000,000.00; state building authority share \$66,000,000.00; state general fund/general purpose share \$0.00).

Sec. 303. The cost to construct the department of technology, management, and budget – new state psychiatric hospital complex project, initially authorized for construction in 2022 PA 166, is hereby increased by \$51,000,000.00 to a new total project cost of \$376,000,000.00 (coronavirus state fiscal recovery fund \$325,000,000.00; state building authority share \$51,000,000.00; state general fund/general purpose share \$0.00).

Sec. 304. The cost to construct the Michigan State University – renovation and addition of greenhouses and dairy facilities project, initially authorized for construction in 2022 PA 166, is hereby increased by \$57,000,000.00 to a new total project cost of \$110,000,000.00 (Michigan State University share \$57,000,000.00; state general fund/general purpose share \$53,000,000.00).

#### **DEPARTMENT OF EDUCATION**

Sec. 351. Funding appropriated in part 1 for school infrastructure grant must be allocated to Marshall Public Schools for the infrastructure, construction, or improvement of a school building within the 2015-2016 geographic boundaries of the annexed Albion Public School District.

#### **DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY**

Sec. 401. (1) From the funds appropriated in part 1 for ARP – healthy hydration, the department must work with the department of education to implement a program to reimburse school districts, nonpublic schools, and child care centers for filtered drinking water stations, tap-mounted water filters, water filter pitchers, or universal cartridge water filters featuring molded collars for the purpose of filtering organic and manmade materials and chemicals from drinking water in locations of need.

(2) Unexpended funds appropriated in part 1 for ARP – healthy hydration are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to implement a program to reimburse school districts, nonpublic schools, and child care centers for filtered drinking water stations, tap-mounted water filters, water filter pitchers, or universal cartridge water filters.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$50,000,000.00.

(d) The tentative completion date is September 30, 2028.

Sec. 402. (1) Funds appropriated in part 1 for drinking water infrastructure grant program must be allocated to a water authority serving a county with a population between 1,750,000 and 1,800,000 according to the most recent federal decennial census to support a drinking water infrastructure project.

(2) Unexpended funds appropriated in part 1 for drinking water infrastructure grant program are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to fund a drinking water infrastructure project.

(b) The project will be accomplished by utilizing state and local government employees, contracts with vendors, or both.

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

(d) The tentative completion date is September 30, 2028.

Sec. 403. (1) Funds appropriated in part 1 for drinking water infrastructure settlement agreement must be awarded to a city with a population between 8,965 and 8,995 in a county with a population between 1,750,000 and 1,800,000 according to the most recent federal decennial census and are intended to support the state commitment to implementation of a settlement agreement between the state of Michigan, a city, and a regional water authority. Upon execution of the settlement, it is the intent of the legislature that funds appropriated in part 1 for drinking water infrastructure settlement agreement shall resolve past litigation between parties concerning rates to residents within a regional water authority and modernize water infrastructure to significantly reduce water loss rates and costs associated with high water loss rates.

(2) It is the intent of the legislature that before spending funds appropriated in part 1 for drinking water infrastructure settlement agreement, the department must use any available funding, including previously approved state or federal grants, that are otherwise available to address the state commitment in a settlement involving a municipality and regional water authority.

(3) The department must report on a quarterly basis to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office on funds expended for drinking water infrastructure settlement agreement, and any other state or federal funds expended to fulfill the state commitment, including how funds were spent. Reports must include progress reports and estimated timelines for completion of projects that are a part of the settlement agreement.

(4) The unexpended funds appropriated in part 1 for drinking water infrastructure settlement agreement are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to fulfill this state's responsibilities under a legal settlement between the state of Michigan, a city, and a water authority by financing certain water infrastructure improvements that serve a party or parties to the settlement agreement.

(b) The project will be accomplished by utilizing state and local government employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$30,000,000.00.

(d) The tentative completion date is September 30, 2028.

Sec. 404. (1) Funds appropriated in part 1 for PFAS remediation grant program must be allocated to a county with a population between 170,000 and 180,000 according to the most recent federal decennial census for PFAS remediation activities and non-PFAS environmental response activities at a former industrial site contiguous with Muskegon Lake with no liable ownership entity.

(2) PFAS remediation activities and non-PFAS environmental response activities include any of the following:

(a) Environmental assessments.

(b) Remediation, remedial action, or response activity associated with contaminated soil, groundwater, and ponds.

(c) Removal, transport, and disposal of contaminated soil, groundwater, and other contaminated materials.

(d) Removal or remediation of underground storage tanks.

(e) Any other activities under section 20107a(1) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20107a.

(f) Any activities included in or allowed under the PFAS remediation grant agreement between the remediation and redevelopment division within the department and the county of Muskegon to provide funding for the Muskegon County former waterfront industrial site PFAS remediation project signed by Muskegon County on May 31, 2023.

(g) Administrative costs for the county up to 3% of the total grant.

(3) Funds allocated under this section do not constitute a future guarantee of permitting approval for any project.

(4) The unexpended funds appropriated in part 1 for PFAS remediation grant program are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is for PFAS remediation activities and non-PFAS environmental response activities at a former industrial site contiguous with Muskegon Lake with no liable ownership entity.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$15,000,000.00.

(d) The tentative completion date is September 30, 2028.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

Sec. 451. Funds appropriated in part 1 for improving behavioral health access must be allocated to a nonprofit organization organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, and is located in a city with a population between 123,000 and 124,000 according to the most recent federal decennial census as follows:

(a) \$1,800,000.00 for an initiative focused on training and educating primary care physicians to screen and treat mild to moderate behavioral health issues, increasing use of telehealth, supporting the use of health information exchange for closed-loop referrals to connect primary care physicians to licensed behavioral health providers, and peer recovery support services.

(b) \$200,000.00 to create and administer an online and interactive version of the protected health information consent tool and to make any revisions to the tool to reflect any recent legislative changes. The contracting entity that receives funds appropriated in this section must also develop accompanying trainings and resources for users. Additionally, the contracting entity that receives funds appropriated in this section must work closely with the Michigan health information network and the department to develop the technical specifications for integrating the protected health information consent tool with other relevant systems and applications, including, but not limited to, CareConnect 360.

Sec. 452. (1) Funds appropriated in part 1 for environmental public health program must be allocated to a community-based development organization located in a city with a population greater than 500,000 according to the most recent federal decennial census to complete home assessments and to coordinate health action plans to improve safe and quality housing for low-income individuals and families. To be eligible for funding under this section, the organization must have a stated mission to revitalize and sustain a healthy community where residents have access to and promote a high quality of life, with a community goal for all children to live in a village where they are safe, educated, and have access to unlimited resources.

(2) The unexpended funds appropriated in part 1 for environmental public health program are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to complete home assessments and to coordinate health action plans to improve safe and quality housing for low-income individuals and families.

(b) The project will be accomplished by a community-based development organization.

(c) The estimated cost of the project is \$500,000.00.

(d) The tentative completion date is September 30, 2028.

Sec. 453. (1) Funds appropriated in part 1 for medical debt relief pilot program must be allocated to an eligible national nonprofit 501(c)(3) organization to administer grants to local units of government for the purpose of purchasing bundles of medical debt on secondary markets or directly from health care providers with the goal of abolishing medical debt for a group or groups of patients and to develop an application process and establish guidelines for the program that does at least all of the following:

(a) Prioritizes medical debt relief to individuals in financial hardship.

(b) Estimates the amount of medical debt that may be canceled from the funds in part 1 and any local contributions or matching funds provided to implement this section.

(c) Ensures there are no adverse tax implications for patients due to the elimination of medical debt.

(2) Not less than 50% of funds in part 1 shall be allocated based on the following:

(a) Individual grants to the following local governments that seek to participate in the medical debt relief program under this section:

(i) A county with a population greater than 1,500,000 according to the most recent federal decennial census.

(ii) A county with a population of at least 1,100,000 and not more than 1,400,000 according to the most recent federal decennial census.

(iii) A county with a population of at least 275,000 and not more than 290,000 according to the most recent federal decennial census.

(iv) A county with a population of at least 250,000 and not more than 265,000 according to the most recent federal decennial census.

(v) A county with a population of at least 600,000 and not more than 700,000 according to the most recent federal decennial census.

(vi) A city with a population between 80,000 and 82,000 within a county with a population between 400,000 and 410,000 according to the most recent federal decennial census.

(b) Grants to eligible local governments shall be distributed under this subsection on a per capita basis and subject to the participation of eligible local governments in this subsection.

(3) Up to 50% of funds in part 1 shall be allocated based on the following:

(a) The grantee organization must distribute grants to local governments not eligible under subsection (2) that seek to participate in a medical debt relief program that is developed in a form and manner determined by the department.



(b) If funds remain after the distribution of funds under subdivision (a), the grantee organization must allocate additional grants to local governments eligible under subsection (2).

(c) Subject to local government participation, the grantee organization must ensure funds awarded under this subsection are geographically distributed across this state.

(d) The grantee organization may establish minimum and maximum awards and utilize other relevant criteria in determining grants allocated in this subsection.

(4) The grantee organization may utilize up to 5% of funds appropriated in part 1 for administration costs of a medical debt relief program.

(5) Not later than September 1 of each year until all funds have been expended, the department must provide a report to the senate and house appropriations committees, the senate and house appropriations subcommittees on health and human services, and the senate and house fiscal agencies on the status of funds awarded, the amount of medical debt relieved, the number of individuals who received debt relief, administration costs to implement the grant program, and other relevant information about the grant program, including any recommendations for future medical debt relief programs as prepared by the grantee organization.

(6) The unexpended funds appropriated in part 1 for medical debt relief pilot program are designated as a work project appropriation. Any unencumbered or unallotted funds must not lapse at the end of the fiscal year and must be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to purchase bundles of medical debt on secondary markets or directly from providers to abolish the medical debt for a group or groups of patients.

(b) The project will be accomplished by an eligible national nonprofit 501(c)(3) organization working in partnership with local units of government.

(c) The estimated cost of the project is \$4,500,000.00.

(d) The tentative completion date is September 30, 2028.

(7) As used in this section, “eligible national nonprofit 501(c)(3) organization” means a national nonprofit organization organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, and established in 2014 for the purpose of purchasing bundles of medical debt on secondary markets or directly from providers to abolish the medical debt for a group or groups of patients, that has a demonstrated track record of performing the work described in this section.

Sec. 454. (1) Funds appropriated in part 1 for substance use treatment center must be allocated to a nonprofit, community-based organization organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, located in a city with a population between 100,000 and 110,000 and located in a county with a population greater than 1,500,000 according to the most recent federal decennial census. The nonprofit, community-based organization must be a licensed mental health and substance use treatment provider with a stated mission to empower communities to improve their health and their economic, social, and cultural well-being.

(2) The unexpended funds appropriated in part 1 for substance use treatment center are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to purchase, renovate, and equip a disused medical office building to provide comprehensive outpatient substance use disorder treatment services.

(b) The project will be accomplished by a nonprofit 501(c)(3) organization.

(c) The estimated cost of the project is \$10,000,000.00.

(d) The tentative completion date is September 30, 2028.

#### **DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY**

Sec. 501. (1) Funds appropriated in part 1 for community center grants must be allocated for a grant program for projects at community centers as described in this section.

(2) The department must develop program guidelines, eligibility criteria, and an application process. Program guidelines, eligibility criteria, and award amounts to new or existing community centers must not be inconsistent with the following:

(a) Eligible community centers include those owned by a municipality, local government agency, nonprofit, or faith-based organization. Applicants must submit a project budget to determine project viability.

(b) Eligible costs for community center projects include the acquisition of property, planning and design costs, construction and materials costs, infrastructure to equip facilities as needed, programming, and development.



(c) Grants must be awarded for projects at community centers that are free and open to the community in which they are located or serve. Community centers that receive awards must provide or include 1 or more of the following:

- (i) Before- or after-school education activities.
- (ii) Access to career or workforce training services.
- (iii) Indoor or outdoor spaces publicly accessible for recreational or athletic activities.
- (iv) Dedicated programming for seniors.
- (v) Meeting space for neighborhood or community organizations.
- (vi) Other wraparound services that may include, but are not limited to, health services, behavioral services, and licensed child care.

(d) Grant awards must not exceed \$2,500,000.00 for any single community project. When awarding grants, the department must consider population size and density, average median income, and community need.

(e) For at least 50% of total grant awards, the department must give priority for proposals that provide services to communities below the average median income, according to the most recent federal decennial census.

(f) To qualify for a grant under this section, a community center must meet 1 or more of the following criteria:

(i) Serve an eligible community according to guidance from the United States Department of the Treasury for the use of state fiscal recovery funds under the American rescue plan act of 2021, Public Law 117-2.

(ii) Be owned or operated by a nonprofit or faith-based organization impacted or disproportionately impacted by the COVID-19 pandemic. Grants awarded to nonprofit or faith-based organizations must have a demonstrated partnership with the community in which the center is or will be located.

(g) The department shall require quarterly progress reports from grant recipients on the utilization of grant funds under this section. Until program funding is expended, the department must provide an annual report not later than February 1 on program grant awards and the utilization of grant funds. The report must be submitted to the chairs of the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office.

(3) The department may utilize up to 2.5% of funds appropriated in part 1 for community center grants to administer grants under this section.

(4) The unexpended funds appropriated in part 1 for community center grants are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to strengthen Michigan communities with enhanced services that provide for education, workforce training, health services, meeting space, and other community needs.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$4,000,000.00.

(d) The tentative completion date is September 30, 2028.

Sec. 502. (1) From the funds appropriated in part 1 for community enhancement grants, \$300,000.00 shall be awarded to a 501(c)(3) nonprofit organization with a mission to enable all young people, especially those with the most needs, to reach their full potential as productive, caring, and responsible citizens, located in a city with a population between 81,200 and 81,300 and in a county with a population between 406,000 and 407,000 according to the most recent federal decennial census for mental health services.

(2) From the funds appropriated in part 1 for community enhancement grants, \$5,000,000.00 shall be awarded to a nondepository community development financial institution to provide loans and investments to housing, healthy food access, and community development projects in a city with a population between 43,500 and 45,000 according to the most recent federal decennial census.

(3) From the funds appropriated in part 1 for community enhancement grants, \$3,000,000.00 must be awarded for a symphony economic recovery program that distributes need-based grants to symphonies in this state that have a demonstrated financial need for state support. The department or the Michigan strategic fund must develop need-based grant program guidelines and implement a grant application process. Grants must be awarded on a proportional basis if grant applications exceed the allocated amount of funding. Funds must be allocated as follows:

(a) \$1,000,000.00 must be awarded to a symphony orchestra located in a city with a population greater than 600,000 according to the most recent federal decennial census to support operations. A symphony orchestra that receives a grant under this subdivision is not eligible for a grant under subdivision (b) or (c).

(b) \$1,600,000.00 must be awarded for symphonies in cities with populations between 72,000 and 200,000 in counties with a population of at least 250,000. A symphony orchestra that receives a grant under this subdivision is not eligible for a grant under subdivision (a) or (c).

(c) \$400,000.00 must be awarded for symphonies that are not eligible for grant funds under subdivisions (a) and (b) of this section.

(4) From the funds appropriated in part 1 for community enhancement grants, \$4,800,000.00 shall be awarded to an African American museum in a city with a population greater than 600,000 according to the most recent federal decennial census.

(5) From the funds appropriated in part 1 for community enhancement grants, \$3,200,000.00 shall be awarded to a historical society that operates 2 museums in a city with a population greater than 600,000 according to the most recent federal decennial census.

Sec. 503. Funds appropriated in part 1 for digital workforce development must be allocated to an intermediate school district that serves a school district that serves a city with a population greater than 10,000 in a county with a population between 67,000 and 69,000 according to the most recent federal decennial census. Funds must be used to provide a single digital platform for career exploration and skill development that will connect prospective employees with interested employers. This digital platform must be made available to intermediate school districts in this state and the employer community in this state as well as to the broader public. The intermediate school district must use existing career-centric resources such as Michigan Works!, when possible. This digital platform may include, but is not limited to, the following:

(a) A library of virtual reality content curated to meet education, career, and life skill development and science, technology, engineering, arts, and mathematics teaching objectives.

(b) Career exploration tools that allow students to analyze their skills and interests, discover related occupations, access information about those occupations, and explore career options through virtual career fairs.

(c) A tool to connect employers with students who are participating in career and technical education high school training programs, trade schools, community colleges, certificate programs, and credential bootcamps.

Sec. 504. From the funds appropriated in part 1 for Michigan enhancement grants, \$1,000,000.00 shall be awarded to a city with a population between 30,000 and 32,000 located in a county with a population between 160,300 and 160,370 according to the most recent federal decennial census to support affordable housing projects and housing services to residents.

Sec. 505. From the funds appropriated in part 1 for new Michigander support, \$3,000,000.00 shall be awarded to the office of global Michigan to provide support for foreign-born noncitizens in this state focused on equity and belonging for immigrant communities in this state. The office should consult with existing relevant resources in the department, such as the Michigan state housing development authority. Funds must be used to provide legal services, housing supports, staffing, and outreach to foreign-born noncitizens in this state. The office may contract with a nonprofit organization to provide services under this section.

Sec. 506. (1) From the funds appropriated in part 1 for paid family leave actuarial study, \$200,000.00 must be used by the department to contract with a qualified third-party actuary with expertise in paid family and medical leave to perform an actuarial analysis for a statewide paid family and medical leave social insurance program.

(2) The actuarial study must be completed and shared with the public not later than August 1, 2024.

(3) The actuary must compare the costs of at least 2 different paid family and medical leave insurance program models, and must consider at least the following program parameters as they relate to the premiums necessary to maintain solvency:

(a) Use of leave to bond with a new child, recover from one's own serious health condition or care for a seriously ill family member, address needs arising from domestic violence and sexual assault, and address military family needs.

(b) Coverage of self-employed workers, at the option of the worker.

(c) Eligibility for benefits once a worker has earned at least \$3,000.00 during a base period.

(d) Use of an inclusive family definition.

(e) A maximum leave duration, not below 12 weeks of job-protected leave per year, with at least 1 model providing for a maximum leave duration of at least 15 weeks of job-protected leave per year.

(f) An option to exempt small employers or employers with limited revenues from paying premiums while including their employees.

(g) Understand the cost of allowing employers to provide paid family medical leave benefits through an approved private plan that meets the minimum requirements of the state program.

(4) The actuary must also consider and address the potential effect on premiums of providing workers with leave for bereavement of a covered family member with at least 1 model providing for a maximum of 15 days of bereavement leave per year.

(5) From the funds appropriated in part 1 for paid family leave actuarial study, \$50,000.00 must be used to commission a study from an expert in the field of paid family and medical leave insurance regarding the benefits of paid family and medical leave to employers, employees, public health, and this state as a whole, as well as the cost of state inaction on this issue.

Sec. 507. (1) From the funds appropriated in part 1 for public infrastructure grants, \$1,000,000.00 shall be awarded to a nonprofit organization in a city with a population greater than 600,000 according to the most recent federal decennial census to support the redevelopment of vacant and dilapidated property. The project must include a park that will contain a gymnasium, turf field, obstacle course, activated shipping containers, and splash pad. The grantee must utilize the resulting facility for programming to assist young people with developing confidence and marketable skills.

(2) From the funds appropriated in part 1 for public infrastructure grants, \$500,000.00 shall be awarded to a city with a population between 10,000 and 10,500 located in a county with a population greater than 1,500,000 according to the most recent federal decennial census. Funds are intended to be used to reimburse the city for costs related to utility infrastructure not owned by the city, but that the city has incurred costs to maintain.

(3) From the funds appropriated in part 1 for public infrastructure grants, \$80,000.00 shall be awarded to a community foundation operating a working farm located in a county with a population greater than 1,500,000 according to the most recent federal decennial census with a mission to connect the community to animals and agriculture through hands-on experiences that are both engaging and educational for an educational building.

Sec. 508. From the funds appropriated in part 1 for public safety grants, \$150,000.00 shall be awarded to a charter township with a population between 5,800 and 6,000 located in a county with a population between 66,000 and 66,100 according to the most recent federal decennial census for an operations grant for the fire department.

Sec. 509. (1) From the funds appropriated in part 1 for the talent investment pilot, the department must develop guidelines, allocate funding, and coordinate with state agencies to implement this section. Goals of the talent investment pilot are to increase Michigan 's population of young talent by creating high-density, high-amenity, walkable, vibrant street life neighborhoods, or districts, and to create business ownership opportunities for local residents.

(2) The department must allocate funding for the talent investment pilot for 3 transformational public space development projects in central city neighborhoods or concentrated districts in Michigan metropolitan areas with a population greater than 500,000 according to the most recent federal decennial census.

(3) Eligible applicants for a talent investment pilot grant must be a consortium of entities that includes local governments, local economic development organizations, the nonprofit community, and the business community. Consortium applicants must appoint a nonprofit organization as the lead applicant to serve as fiduciary and project manager for the consortium. Only grant applicants that provide a minimum of 50% local or private match will be considered for a state grant. Qualified plan proposals must include all of the following:

(a) The transition of roadway usage from cars to alternative transportation spaces, including, but not limited to, walking, biking, and transit.

(b) Artwork, outdoor recreations, open spaces, and greenways.

(c) Commercial corridor activation, including innovations to fill vacant retail space with locally owned businesses.

(d) Mixed-use development that contributes to dense, walkable areas.

(e) Transit and mixed-income housing development. Although a qualified plan should include proposals for transit and mixed-income housing development, state funds may not be used for these purposes.

(4) The department must consider all of the following when selecting grant recipients:

(a) The likelihood that a proposed plan will lead to accelerated young talent population growth within the neighborhood or district.

(b) The extent to which a proposed plan will support the creation and ongoing success of locally owned businesses.

(c) The extent to which a proposed plan will create dense, walkable, vibrant spaces.

(d) The extent to which zoning and code restrictions have been, or will need to be, modified to support high-density residential development.

(e) The extent to which the proposed plan supports facilities and walkways that house or present cultural arts programs, performances, and exhibitions.

(f) The extent to which the proposed plan provides mixed-income housing.

(g) The likelihood of successful implementation of a proposed plan and its sustainability.

(5) To the extent possible, the department shall coordinate the selection of grant recipients with input and communication with the state transportation department, the Michigan state housing development authority, the Michigan economic development corporation, the department of natural resources, and the Michigan arts and culture council.

Sec. 510. From the funds appropriated in part 1 for workforce development grants, \$2,500,000.00 must be awarded to the Michigan Health and Hospital Association for an education, training, and housing incentive program that serves a city with a population between 80,000 and 82,000 within a county with a population between 400,000 and 410,000 according to the most recent federal decennial census.

Sec. 511. As a condition of receiving funds under sections 502, 504, 507, 508, and 510, a grant recipient must agree to decline, not apply for, or not in any other way receive any funds the grant recipient would otherwise qualify for under sections 1003, 1015, 1019, 1020, and 1025 of article 9 of 2023 PA 119.

**DEPARTMENT OF LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL**

Sec. 551. (1) From the funds appropriated in part 1 for executive direction and support operations, the department must provide a report on a quarterly basis to the senate and house appropriations committees and the senate and house fiscal agencies that includes at least all of the following:

- (a) The number of classified FTEs hired, their job classifications, and salaries.
- (b) The extent to which the department plans to use or uses existing resources in support of the activities of the department.
- (c) The new activities the department plans to undertake or undertakes that differ from the activities that are currently being undertaken by the department of education, the department of treasury, and the department of licensing and regulatory affairs, for programs that will be transferred to the department.

(d) Any other information necessary for an understanding of the department's role and how it differs from the duties undertaken by existing departments and programs.

(2) The reports required under subsection (1) are due on February 1, 2024, May 1, 2024, August 1, 2024, and September 30, 2024.

**DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET**

Sec. 601. (1) From the funds appropriated in part 1 for healthcare supply chain technology, the department must issue a solicitation by February 1 with an existing supply chain visibility technology provider that is currently operating as a software-as-a-service (SaaS) model. The SaaS service must provide real-time visibility for complex supply chains that are running at least 25,000,000 transactions a year. The technology will be utilized for the state emergency preparedness network and be provided by a vendor headquartered in this state. Vendors must possess current experience providing a cloud-based logistics platform with the ability to track multiple modes of data, monitor, report, and provide predictive, actionable intelligence based on logistics and asset data across thousands of end points worldwide for multiple automotive manufacturers. The selected vendor must have developed patented technology for mass-scale data normalization for locations, modal assets, and sensor technologies. The vendor must have proven experience supporting solutions with greater than 20,000 locations.

(2) The unexpended funds appropriated in part 1 for healthcare supply chain technology are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the project is to contract with an existing supply chain visibility technology provider that provides real-time visibility for complex supply chains.
- (b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.
- (c) The total estimated cost of the project is \$7,500,000.00.
- (d) The tentative completion date is September 30, 2028.

**STATE TRANSPORTATION DEPARTMENT**

Sec. 651. (1) The funds appropriated in part 1 for critical infrastructure projects must be utilized by the department to complete an interchange project in a county with a population between 261,000 and 262,000 according to the most recent federal decennial census. It is the intent of the legislature that the funds in part 1 and the previously appropriated funds for the same project are sufficient to complete a business loop interchange project, and the department must utilize any other appropriated funds if subsequent costs are necessary to commence construction and complete the project.

(2) The unexpended funds appropriated in part 1 for critical infrastructure projects are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the project is to support costs associated with the construction of a business loop interchange project.
- (b) The project will be accomplished by utilizing state employees, contracts with service vendors, or both.
- (c) The estimated cost of the project is \$3,900,000.00.
- (d) The tentative completion date is September 30, 2028.

**DEPARTMENT OF TREASURY**

Sec. 701. Funds appropriated in part 1 for late-qualifying eligible manufacturing personal property tax reimbursement must be used by the department for distribution to local tax collecting units for the purpose of refunding property taxes paid or redistributing unpaid 2021 property taxes to taxing units that levied the taxes, according to the requirements in House Bill No. 4084 of the 102nd Legislature. Funds appropriated in part 1 for late-qualifying eligible manufacturing personal property tax reimbursement must not be spent or otherwise distributed unless House Bill No. 4084 of the 102nd Legislature is enacted into law.

Sec 702. From the funds appropriated in part 1 for municipal facilities infrastructure, the department must allocate grants for facilities that support the administration of elections activities including, but not limited to, the storage of elections equipment, secure spaces for tabulation or processing of ballots, and training of elections workers. The department must allocate grants of \$1,000,000.00 to each of the following municipalities:

(a) A city with a population between 106,000 and 108,000 in a county with a population between 280,000 and 290,000 according to the most recent federal decennial census.

(b) A city with a population between 195,000 and 200,000 according to the most recent federal decennial census.

(c) A city with a population between 120,000 and 125,000 in a county with a population between 350,000 and 400,000 according to the most recent federal decennial census.

Sec. 703. (1) From the funds appropriated in part 1 for school district emergency loan debt relief, \$65,218,000.00 must be allocated as follows:

(a) Up to \$18,362,000.00 to pay the outstanding emergency loan balance of the Pontiac City School District pursuant to the emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942.

(b) Up to \$10,020,000.00 to pay the outstanding emergency loan balance of Benton Harbor Area Schools pursuant to the emergency municipal loan act, 1980 PA 243, MCL 141.931 to 141.942.

(c) Up to \$5,500,000.00 to pay the outstanding long-term limited tax debt held by the Michigan Finance Authority of Ypsilanti Community Schools.

(d) Up to \$31,336,000.00 to pay the outstanding emergency loan balance, outstanding school bond loan fund balances, school loan revolving fund balances, associated general obligation unlimited tax debt qualified pursuant to the school bond qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to 388.1939, or costs associated with the payoff of debt for the Muskegon Heights School District. The department must coordinate the payment of debt in this subsection to ensure the final payment coincides with the end of the 2023-2024 school year for the Muskegon Heights Public School Academy System.

(2) From the funds appropriated in part 1 for school district emergency loan debt relief, \$48,852,000.00 must be allocated as follows:

(a) Up to \$12,120,000.00 for Inkster Schools for paying outstanding school bond loan fund balances or school loan revolving fund balances.

(b) \$36,732,000.00 must be distributed as follows:

(i) Up to \$19,360,100.00 to the former Willow Run Community Schools to pay outstanding school bond loan fund balances or school loan revolving fund balance.

(ii) A portion of the amount remaining under this subdivision must be used either to retire debt of either former Ypsilanti School District or the former Willow Run Community Schools or for initiatives to improve student achievement for Ypsilanti Community Schools, including, but not limited to, the implementation of plans required in subsection (3).

(3) To receive funding under subsection (1), districts must do the following within 12 months of disbursement of funds:

(a) Develop and implement a district-wide strategic plan for the recruitment and retention of students to increase student enrollment.

(b) Do 1 of the following:

(i) Allow for facility condition assessments as described in section 11y of the state school aid act of 1979, 1979 PA 94, MCL 388.1611y.

(ii) Develop and implement a capital improvement strategic plan to evaluate the building infrastructure and facility needs given the current size of the district.

(c) Develop and implement a strategic plan to attract and retain certified teachers.

(d) Offer a school board training program with a minimum of 3 training sessions per year. Training must focus on topics related to managing school district finances.

(e) In partnership with the intermediate school district in which the district is a constituent district, identify and implement specific policies to increase graduation rates and reduce the number of students who do not complete high school.

(f) In partnership with the intermediate school district in which the district is a constituent district, identify and implement specific policies to increase attendance rates and reduce the number of students who are identified as chronically absent.

(g) To the extent allowable under existing law, a district must use appropriations included in 2023 PA 103 to accomplish the requirements under this section.

(h) A district receiving funds under this section must apply for the funds in a form and manner as determined by the department. Districts must submit documentation as required not later than September 30, 2025 to the department and the department of education to certify that the district has satisfied each condition under this section.

(4) Notwithstanding subsection (1)(d), the department must make payments under this section on a schedule determined by the department.

Sec. 704. In addition to funding appropriated in part 1, the department is authorized to issue payments in compliance with the fostering futures scholarship trust fund act, 2008 PA 525, MCL 722.1021 to 722.1031, including any money received as gifts or donations to the fostering futures scholarship trust fund.

#### **REPEALERS**

Sec. 1001. Section 304 of 2022 PA 53 is repealed.

Sec. 1002. Sections 1918, 1952, 1959, and 1967 of article 6 of 2023 PA 119 are repealed.

Sec. 1003. Sections 1005, 1018, and 1023 of article 9 of 2023 PA 119 are repealed.

#### **PART 2A**

#### **PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2022-2023**

#### **GENERAL SECTIONS**

Sec. 1201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1A for the fiscal year ending September 30, 2023 is \$18,725,000.00 and total state spending from state sources to be paid to local units of government is \$0.00.

Sec. 1202. The appropriations made and expenditures authorized under this part and part 1A and the departments, commissions, boards, offices, and programs for which appropriations are made under this part and part 1A are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1203. Funds appropriated in part 1A must be allocated and expended in a manner consistent with federal rules and regulations.

Sec. 1204. Funds appropriated in part 1A are subject to applicable federal audit and reporting requirements. Prompt action shall be taken if instances of noncompliance are identified, including noncompliance identified in an audit finding. If any instance of noncompliance is identified, including noncompliance identified in an audit finding, the state budget director must take necessary and immediate action to rectify it. The state budget director must notify the senate and house appropriations committees and the senate and house fiscal agencies when an instance of noncompliance is identified.

Sec. 1205. The state budget director must report on the status of funds appropriated in part 1A, and all funds appropriated related to the coronavirus relief effort, to the senate and house appropriations committees and the senate and house fiscal agencies on a monthly basis until all funds are exhausted.

#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

Sec. 1301. The unexpended funds appropriated in part 1A for ARP - data modernization are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to assist state, local, and territorial governments in efforts to achieve data modernization goals, assuring faster and more complete data sharing across the public health data ecosystem.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$4,231,300.00.

(d) The tentative completion date is September 30, 2027.

Sec. 1302. The unexpended funds appropriated in part 1A for ARP - epidemiology and lab capacity genomic sequencing are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to leverage new technologies to combat emerging and persistent disease threats throughout this state.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$7,398,900.00.

(d) The tentative completion date is September 30, 2027.

Sec. 1303. (1) From the funds appropriated in part 1A for ARP - senior centers, the department shall allocate \$8,500,000.00 to a school district that includes a city with a population of between 4,250 and 4,750 in a county with a population of between 350,000 and 400,000 according to the most recent federal decennial census for acquisition, renovation, construction, and programming establishment costs for a senior and community center.



(2) Unexpended funds appropriated in part 1A for ARP - senior centers and allocated under this section are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to acquire, renovate, and establish programming for a senior and community center.

(b) The project will be accomplished by utilizing state employees, contracts with service providers, or both.

(c) The total estimated cost of the project is \$8,500,000.00.

(d) The tentative completion date is September 30, 2026.

Sec. 1304. (1) From the funds appropriated in part 1A for ARP - senior centers, the department shall allocate \$10,000,000.00 to a school district that began in 1961 with its administrative office located in a charter township with a population of between 25,000 and 40,000 in a county with a population of between 105,000 and 110,000 according to the most recent federal decennial census to construct a new senior center.

(2) Unexpended funds appropriated in part 1A for ARP - senior centers and allocated under this section are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to construct a new senior center.

(b) The project will be accomplished by utilizing state employees, contracts with service providers, or both.

(c) The total estimated cost of the project is \$10,000,000.00.

(d) The tentative completion date is September 30, 2026.

Sec. 1305. The unexpended funds appropriated in part 1A for ARP - strengthening U.S. public health infrastructure, workforce, and data systems are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to support prevention, preparedness, and response to emerging health threats, to improve outcomes for other public health areas, and to ensure this state has the people, services, and systems in place to promote and protect public health.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$13,721,100.00.

(d) The tentative completion date is September 30, 2027.

Sec. 1306. The unexpended funds appropriated in part 1A for bridge access and confidence programs are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to conduct activities to promote confidence in COVID-19 vaccines.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$336,500.00.

(d) The tentative completion date is September 30, 2027.

Sec. 1307. (1) From the funds appropriated in part 1A for critical child welfare infrastructure, the department must allocate \$15,000,000.00 to create a grant program for nonprofit organizations to provide affordable and attainable housing for youth who are currently in foster care or youth who have already aged out of foster care and to increase capacity to address the placement crisis.

(2) To receive funds appropriated under this section, a nonprofit organization must apply for the grant program in a form and manner prescribed by the department.

(3) From the funds allocated in subsection (1), the department must allocate \$7,500,000.00 to a nonprofit organization located in a charter township with a population of between 44,000 and 45,000 in a county with a population of between 1,000,000 and 1,500,000 according to the most recent federal decennial census for an infrastructure project for the construction, purchase, or renovation of facilities, whichever is most economically feasible, to provide affordable and attainable housing for youth aged 16 to 18 years who are currently in foster care or youth who have already aged out of foster care. Funds must also be used for programming to support youth in the identified population. Before funds allocated under this subsection are distributed to the qualifying nonprofit organization, the nonprofit organization must provide an implementation plan to the department. The department may approve or reject the implementation plan. The implementation plan must do all of the following:

(a) Identify not less than a 10% private investment for the infrastructure project.

(b) Identify how the infrastructure project would assist youth aged 16 to 18 years who are currently in foster care or youth who have already aged out of foster care with employment, educational opportunities, housing, community life, personal effectiveness, and personal well-being.

(c) Identify how the nonprofit organization plans to cover the ongoing operational costs and ongoing maintenance of the infrastructure project.

(d) Identify how the nonprofit organization would track and report to the department the operational outcomes and performance metrics that would show whether the nonprofit organization's program model could be replicated by other facilities across the state.

(4) The department must provide a report to the senate and house appropriations subcommittees on health and human services, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the number of grant applications awarded, the approved implementation plan under subsection (3), and any performance metrics reported by the nonprofit organizations that were awarded grants.

Sec. 1308. The unexpended funds appropriated in part 1A for COVID-19 bridge access and confidence programs are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to maintain broad access to COVID-19 care for uninsured individuals.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$3,283,200.00.

(d) The tentative completion date is September 30, 2027.

Sec. 1309. The unexpended funds appropriated in part 1A for COVID-19 epidemiology and lab capacity healthcare associated infection and antibiotic resistant program are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide critical resources to this state to detect, monitor, mitigate, and prevent the spread of COVID-19 in health care settings.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$6,194,200.00.

(d) The tentative completion date is September 30, 2027.

Sec. 1310. The unexpended funds appropriated in part 1A for COVID-19 national wastewater surveillance system are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to develop state and local capacity to conduct and coordinate wastewater surveillance.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$3,662,000.00.

(d) The tentative completion date is September 30, 2027.

Sec. 1311. The unexpended funds appropriated in part 1A for strengthening U.S. public health infrastructure, workforce, and data systems are designated as a work project appropriation. Any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to support prevention, preparedness, and response to emerging health threats, to improve outcomes for other public health areas, and to ensure this state has people, services, and systems in place to promote and protect public health.

(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.

(c) The total estimated cost of the project is \$1,019,800.00.

(d) The tentative completion date is September 30, 2027.

#### **DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

Sec. 1401. From the funds appropriated in part 1A, the Michigan veterans' facility authority must provide a report not later than March 15, 2024 on the financial accounting of the fiscal year 2022-2023 budgets for each of the state veterans homes, including the Grand Rapids home for veterans, the D.J. Jacobetti home for veterans, and the Chesterfield Township home for veterans. The report must be submitted to the chairs of the senate and house appropriations committees, the senate and house subcommittees on military and veterans affairs, the senate and house fiscal agencies, and the state budget office and must include all of the following:

(a) The original fiscal year 2022-2023 appropriations for each veterans home by fund source, the rationale for those amounts, and the original projected amount of year-end revenues and expenditures.



(b) Any adjustments, including recommended supplemental appropriations and legislative transfers, to the appropriations for each home identified as being necessary by the authority, the rationale for the adjustment, and when identified as being necessary.

(c) The strategies and actions taken to maximize revenues from non-general fund sources and cost savings strategies.

### **REPEALERS**

Sec. 1501. Section 303 of 2022 PA 194 is repealed.

Sec. 1502. Sections 560 and 561 of article 16 of 2023 PA 119 are repealed.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies and capital outlay purposes for the fiscal years ending September 30, 2023 and September 30, 2024; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Amos O'Neal  
Felicia Brabec  
Conferees for the House

Sarah Anthony  
Sean McCann  
Conferees for the Senate

Rep. Aiyash moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

### **Roll Call No. 478**

### **Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O'Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

### **Nays—52**

Alexander	DeBoyer	Lightner	Schriver
Aragona	DeSana	Maddock	Schuette
Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine
Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Greene, J.	Outman	Tisdell
Borton	Hall	Paquette	VanderWall

Bruck	Harris	Posthumus	VanWoerkom
Carra	Hoadley	Prestin	Wendzel
Cavitt	Johnsen	Rigas	Wozniak
DeBoer	Kunse	Schmaltz	Zorn

In The Chair: Pohutsky

### Messages from the Senate

The Senate returned, in accordance with the request of the House

#### **Senate Bill No. 280, entitled**

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 9316 (MCL 333.9316), as added by 2020 PA 261.

(The bill was passed on October 24, see House Journal No. 88, p. 2054.)

Rep. Aiyash moved that Rule 63 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Aiyash moved to reconsider the vote by which the House passed the bill.

The motion prevailed, a majority of the members serving voting therefor.

### Third Reading of Bills

#### **Senate Bill No. 280, entitled**

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and

remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 9316 (MCL 333.9316), as added by 2020 PA 261.

The question being on the passage of the bill,

Rep. Rogers moved to substitute (H-1) the bill.

The motion was seconded and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 479**

**Yeas—84**

Aiyash	DeBoer	MacDonell	Scott
Alexander	Dievendorf	Martin	Shannon
Andrews	Edwards	Martus	Skaggs
Aragona	Farhat	McFall	Snyder
Arbit	Filler	McKinney	Steckloff
BeGole	Fitzgerald	Mentzer	Stone
Beson	Glanville	Miller	Tate
Bezotte	Grant	Morgan	Thompson
Bierlein	Green, P.	Morse	Tisdell
Bollin	Haadsma	Mueller	Tsernoglou
Borton	Hall	Neeley	VanderWall
Brabec	Harris	Neyer	VanWoerkom
Breen	Hill	O’Neal	Wegela
Brixie	Hoadley	Paiz	Weiss
Byrnes	Hood	Pohutsky	Wendzel
Carter, B.	Hope	Price	Whitsett
Carter, T.	Hoskins	Puri	Wilson
Churches	Koleszar	Rheingans	Witwer
Coffia	Kunse	Rogers	Wozniak
Coleman	Liberati	Schmaltz	Young
Conlin	Lightner	Schuette	Zorn

**Nays—24**

Beeler	Fink	Markkanen	Rigas
Bruck	Fox	Meerman	Schriver
Carra	Friske	Outman	Slagh
Cavitt	Greene, J.	Paquette	Smit
DeBoyer	Johnsen	Posthumus	St. Germaine
DeSana	Maddock	Prestin	Steele

In The Chair: Pohutsky

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Aiyash moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 374**. The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 382, entitled

A bill to facilitate access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers and entities; and to provide for biennial reports concerning equal language access.

The bill was read a second time.

Rep. Puri moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Aiyash moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Aiyash moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 382, entitled

A bill to facilitate access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers and entities; and to provide for biennial reports concerning equal language access.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 480

#### Yeas—56

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O'Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

#### Nays—52

Alexander	DeBoyer	Lightner	Schriver
Aragona	DeSana	Maddock	Schuette
Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine
Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Greene, J.	Outman	Tisdell

Borton	Hall	Paquette	VanderWall
Bruck	Harris	Posthumus	VanWoerkom
Carra	Hoadley	Prestin	Wendzel
Cavitt	Johnsen	Rigas	Wozniak
DeBoer	Kunse	Schmaltz	Zorn

In The Chair: Pohutsky

The question being on agreeing to the title of the bill,

Rep. Wilson moved to amend the title to read as follows:

A bill to facilitate access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers and entities; and to provide for biennial reports concerning meaningful language access.

The motion prevailed.

The House agreed to the title as amended.

Rep. Wilson moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**House Bill No. 4720, entitled**

A bill to provide for the statewide coordination of equal language access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers and entities; and to establish a process for submitting complaints and obtaining remedies for lack of equal language access and for denials of equal access based on one’s national origin.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Puri moved to substitute (H-2) the bill.

The motion was seconded and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 481**

**Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Bymes	Hill	Neeley	Tate
Carter, B.	Hood	O’Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

**Nays—52**

Alexander	DeBoyer	Lightner	Schriver
Aragona	DeSana	Maddock	Schuetta

Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine
Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Greene, J.	Outman	Tisdell
Borton	Hall	Paquette	VanderWall
Bruck	Harris	Posthumus	VanWoerkom
Carra	Hoadley	Prestin	Wendzel
Cavitt	Johnsen	Rigas	Wozniak
DeBoer	Kunse	Schmaltz	Zorn

In The Chair: Pohutsky

The question being on agreeing to the title of the bill,  
Rep. Wilson moved to amend the title to read as follows:

A bill to provide for the statewide coordination of meaningful language access to state services by individuals with limited English proficiency; to provide for the powers and duties of certain state governmental officers and entities; and to establish a process for submitting complaints and obtaining remedies for lack of meaningful language access and for denials of meaningful language access based on one's national origin.

The motion prevailed.

The House agreed to the title as amended.

Rep. Wilson moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

#### Reports of Select Committees

##### Senate Bill No. 174, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 12a, 12c, 20, 22l, 31a, 31ff, 41, 51a, 51c, 61l, 61s, 61u, 94a, 95b, 97e, 97g, 97k, 99d, 99m, 99n, 99ii, 99jj, 107a, 147a, 201, 236, 236m, and 248 (MCL 388.1606, 388.1611, 388.1612a, 388.1612c, 388.1620, 388.1622l, 388.1631a, 388.1631ff, 388.1641, 388.1651a, 388.1651c, 388.1651e, 388.1661l, 388.1661s, 388.1661u, 388.1694a, 388.1695b, 388.1697e, 388.1697g, 388.1697k, 388.1699d, 388.1699m, 388.1699n, 388.1699ii, 388.1699jj, 388.1707a, 388.1747a, 388.1801, 388.1836, 388.1836m, and 388.1848), sections 6, 11, 20, 31a, 41, 51a, 51c, 94a, 95b, 97e, 147a, 201, 236, and 248 as amended and sections 12a, 12c, 22l, 31ff, 61l, 61s, 61u, 97g, 97k, 99d, 99m, 99n, 99ii, 99jj, 107a, and 236m as added by 2023 PA 103, and by adding sections 216d and 236o; and to repeal acts and parts of acts.

The Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

#### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

##### Senate Bill No. 174, entitled

A bill to amend 1979 PA 94, entitled

"The state school aid act of 1979,"

by amending sections 11, 17b, 201, 206, 236, and 241 (MCL 388.1611, 388.1617b, 388.1801, 388.1806, 388.1836, and 388.1841), sections 11 and 236 as amended by 2022 PA 212, section 17b as amended by 2007 PA 137, and sections 201, 206, and 241 as amended by 2022 PA 144.

Recommends:

First: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 12a, 12c, 20, 22l, 31a, 31ff, 41, 51a, 51c, 61l, 61s, 61u, 94a, 95b, 97e, 97g, 97k, 99d, 99m, 99n, 99ii, 99jj, 107a, 147a, 201, 236, 236m, and 248 (MCL 388.1606, 388.1611, 388.1612a, 388.1612c, 388.1620, 388.1622l,

388.1631a, 388.1631ff, 388.1641, 388.1651a, 388.1651c, 388.1661l, 388.1661s, 388.1661u, 388.1694a, 388.1695b, 388.1697e, 388.1697g, 388.1697k, 388.1699d, 388.1699m, 388.1699n, 388.1699ii, 388.1699jj, 388.1707a, 388.1747a, 388.1801, 388.1836, 388.1836m, and 388.1848), sections 6, 11, 20, 31a, 41, 51a, 51c, 94a, 95b, 97e, 147a, 201, 236, and 248 as amended and sections 12a, 12c, 22l, 31ff, 61l, 61s, 61u, 97g, 97k, 99d, 99m, 99n, 99ii, 99jj, 107a, and 236m as added by 2023 PA 103, and by adding sections 216d and 236o; and to repeal acts and parts of acts.

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

Sec. 6. (1) “Center program” means a program operated by a district or by an intermediate district for special education pupils from several districts in programs for pupils with autism spectrum disorder, pupils with severe cognitive impairment, pupils with moderate cognitive impairment, pupils with severe multiple impairments, pupils with hearing impairment, pupils with visual impairment, and pupils with physical impairment or other health impairment. Programs for pupils with emotional impairment housed in buildings that do not serve regular education pupils also qualify. Unless otherwise approved by the department, a center program either serves all constituent districts within an intermediate district or serves several districts with less than 50% of the pupils residing in the operating district. In addition, special education center program pupils placed part-time in noncenter programs to comply with the least restrictive environment provisions of section 1412 of the individuals with disabilities education act, 20 USC 1412, may be considered center program pupils for pupil accounting purposes for the time scheduled in either a center program or a noncenter program.

(2) “District and high school graduation rate” means the annual completion and pupil dropout rate that is calculated by the center pursuant to nationally recognized standards.

(3) “District and high school graduation report” means a report of the number of pupils, excluding adult education participants, in the district for the immediately preceding school year, adjusted for those pupils who have transferred into or out of the district or high school, who leave high school with a diploma or other credential of equal status.

(4) “Membership”, except as otherwise provided in this article, means for a district, a public school academy, or an intermediate district the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district on the pupil membership count day for the current school year, plus the product of .10 times the final audited count from the supplemental count day of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance in the district, public school academy, or intermediate district for the immediately preceding school year. A district’s, public school academy’s, or intermediate district’s membership is adjusted as provided under section 25e for pupils who enroll after the pupil membership count day in a strict discipline academy operating under sections 1311b to 1311m of the revised school code, MCL 380.1311b to 380.1311m. All pupil counts used in this subsection are as determined by the department and calculated by adding the number of pupils registered for attendance plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit. The amount of the foundation allowance for a pupil in membership is determined under section 20. In making the calculation of membership, all of the following, as applicable, apply to determining the membership of a district, a public school academy, or an intermediate district:

(a) Except as otherwise provided in this subsection, and pursuant to subsection (6), a pupil is counted in membership in the pupil’s educating district or districts. Except as otherwise provided in this subsection, an individual pupil must not be counted for more than a total of 1.0 full-time equated membership.

(b) If a pupil is educated in a district other than the pupil’s district of residence, if the pupil is not being educated as part of a cooperative education program, if the pupil’s district of residence does not give the educating district its approval to count the pupil in membership in the educating district, and if the pupil is not covered by an exception specified in subsection (6) to the requirement that the educating district must have the approval of the pupil’s district of residence to count the pupil in membership, the pupil is not counted in membership in any district.

(c) A special education pupil educated by the intermediate district is counted in membership in the intermediate district.

(d) A pupil placed by a court or state agency in an on-grounds program of a juvenile detention facility, a child caring institution, or a mental health institution, or a pupil funded under section 53a, is counted in membership in the district or intermediate district approved by the department to operate the program.

(e) A pupil enrolled in the Michigan Schools for the Deaf and Blind is counted in membership in the pupil’s intermediate district of residence.

(f) A pupil enrolled in a career and technical education program supported by a millage levied over an area larger than a single district or in an area vocational-technical education program established under section 690 of the revised school code, MCL 380.690, is counted in membership only in the pupil’s district of residence.

(g) A pupil enrolled in a public school academy is counted in membership in the public school academy.

(h) For the purposes of this section and section 6a, for a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, that is in compliance with section 553a of the revised school code, MCL 380.553a, a pupil's participation in the cyber school's educational program is considered regular daily attendance, and for a district or public school academy, a pupil's participation in a virtual course as that term is defined in section 21f is considered regular daily attendance. Beginning July 1, 2021, this subdivision is subject to section 8c. It is the intent of the legislature that the immediately preceding sentence apply retroactively and is effective July 1, 2021. For the purposes of this subdivision, for a pupil enrolled in a cyber school, all of the following apply with regard to the participation requirement as described in this subdivision:

(i) Except as otherwise provided in this subdivision, the pupil shall participate in each scheduled course on pupil membership count day or supplemental count day, as applicable. If the pupil is absent on pupil membership count day or supplemental count day, as applicable, the pupil must attend and participate in class during the next 10 consecutive school days if the absence was unexcused, or during the next 30 calendar days if the absence was excused.

(ii) For a pupil who is not learning sequentially, 1 or more of the following must be met on pupil membership count day or supplemental count day, as applicable, for each scheduled course to satisfy the participation requirement under this subdivision:

(A) The pupil attended a live lesson from the teacher.

(B) The pupil logged into a lesson or lesson activity and the login can be documented.

(C) The pupil and teacher engaged in a subject-oriented telephone conversation.

(D) There is documentation of an email dialogue between the pupil and teacher.

(E) There is documentation of activity or work between the learning coach and pupil.

(F) An alternate form of attendance as determined and agreed upon by the cyber school and the pupil membership auditor was met.

(iii) For a pupil using sequential learning, the participation requirement under this subdivision is satisfied if either of the following occurs:

(A) Except as otherwise provided in this sub-subparagraph, the pupil and the teacher of record or mentor complete a 2-way interaction for 1 course during the week on which pupil membership count day or supplemental count day, as applicable, occurs, and the 3 consecutive weeks following that week. However, if a school break is scheduled during any of the weeks described in this sub-subparagraph that is 4 or more days in length or instruction has been canceled districtwide during any of the weeks described in this sub-subparagraph for 3 or more school days, the district is not required to ensure that the pupil and the teacher of record or mentor completed a 2-way interaction for that week. As used in this sub-subparagraph:

(I) "2-way interaction" means the communication that occurs between the teacher of record or mentor and pupil, where 1 party initiates communication and a response from the other party follows that communication. Responses as described in this sub-sub-subparagraph must be to the communication initiated by the teacher of record or mentor, and not some other action taken. This interaction may occur through, but is not limited to, means such as email, telephone, instant messaging, or face-to-face conversation. A parent- or legal-guardian-facilitated 2-way interaction is considered a 2-way interaction if the pupil is in any of grades K to 5 and does not yet possess the skills necessary to participate in 2-way interactions unassisted. The interactions described in this sub-sub-subparagraph must relate to a virtual course on the pupil's schedule and pertain to course content or progress.

(II) "Mentor" means a professional employee of the district who monitors the pupil's progress, ensures the pupil has access to needed technology, is available for assistance, and ensures access to the teacher of record. A mentor may also be the teacher of record if the mentor meets the definition of a teacher of record under this sub-subparagraph and the district is the provider for the course.

(III) "Teacher of record" means a teacher to whom all of the following apply:

(1) The teacher is responsible for providing instruction, determining instructional methods for each pupil, diagnosing learning needs, assessing pupil learning, prescribing intervention strategies and modifying lessons, reporting outcomes, and evaluating the effects of instruction and support strategies. The teacher of record may coordinate the distribution and assignment of the responsibilities described in this sub-sub-sub-subparagraph with other teachers participating in the instructional process for a course.

(2) The teacher is certified for the grade level or is working under a valid substitute permit, authorization, or approval issued by the department.

(3) The teacher has a personnel identification code provided by the center.

(IV) "Week" means a period that starts on Wednesday and ends the following Tuesday.

(B) The pupil completes a combination of 1 or more of the following activities for each scheduled course on pupil membership count day or supplemental count day, as applicable:

(I) Documented attendance in a virtual course where synchronous, live instruction occurred with the teacher.

(II) Documented completion of a course assignment.



(III) Documented completion of a course lesson or lesson activity.

(IV) Documented pupil access to an ongoing lesson, which does not include a login.

(V) Documented physical attendance on pupil membership count day or supplemental count day, as applicable, in each scheduled course, if the pupil will attend at least 50% of the instructional time for each scheduled course on-site, face-to-face with the teacher of record. As used in this sub-sub-subparagraph, "teacher of record" means that term as defined in subparagraph (iii)(A).

(iv) For purposes of subparagraph (iii), each scheduled course currently being attempted by the pupil, rather than every course on the pupil's schedule for the entire term, is considered a part of each scheduled course for the pupil.

(i) For a new district or public school academy beginning its operation after December 31, 1994, membership for the first 2 full or partial fiscal years of operation is determined as follows:

(i) If operations begin before the pupil membership count day for the fiscal year, membership is the average number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the pupil membership count day for the current school year and on the supplemental count day for the current school year, as determined by the department and calculated by adding the number of pupils registered for attendance on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by a subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2.

(ii) If operations begin after the pupil membership count day for the fiscal year and not later than the supplemental count day for the fiscal year, membership is the final audited count of the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the supplemental count day for the current school year.

(j) If a district is the authorizing body for a public school academy, then, in the first school year in which pupils are counted in membership on the pupil membership count day in the public school academy, the determination of the district's membership excludes from the district's pupil count for the immediately preceding supplemental count day any pupils who are counted in the public school academy on that first pupil membership count day who were also counted in the district on the immediately preceding supplemental count day.

(k) For an extended school year program approved by the superintendent, a pupil enrolled, but not scheduled to be in regular daily attendance, on a pupil membership count day, is counted in membership.

(l) To be counted in membership, a pupil must meet the minimum age requirement to be eligible to attend school under section 1147 of the revised school code, MCL 380.1147, and must be less than 20 years of age on September 1 of the school year except as follows:

(i) A special education pupil who is enrolled and receiving instruction in a special education program or service approved by the department, who does not have a high school diploma, and who is less than 26 years of age as of September 1 of the current school year is counted in membership.

(ii) A pupil who is determined by the department to meet all of the following may be counted in membership:

(A) Is enrolled in a public school academy or an alternative education high school diploma program, that is primarily focused on educating pupils with extreme barriers to education, such as being homeless as that term is defined under 42 USC 11302.

(B) Had dropped out of school.

(C) Is less than 22 years of age as of September 1 of the current school year.

(iii) If a child does not meet the minimum age requirement to be eligible to attend school for that school year under section 1147 of the revised school code, MCL 380.1147, but will be 5 years of age not later than December 1 of that school year, the district may count the child in membership for that school year if the parent or legal guardian has notified the district in writing that the parent or legal guardian intends to enroll the child in kindergarten for that school year.

(m) An individual who has achieved a high school diploma is not counted in membership. An individual who has achieved a high school equivalency certificate is not counted in membership unless the individual is a student with a disability as that term is defined in R 340.1702 of the Michigan Administrative Code. An individual participating in a job training program funded under former section 107a or a jobs program funded under former section 107b, administered by the department of labor and economic opportunity, or participating in any successor of either of those 2 programs, is not counted in membership.

(n) If a pupil counted in membership in a public school academy is also educated by a district or intermediate district as part of a cooperative education program, the pupil is counted in membership only in the public school academy unless a written agreement signed by all parties designates the party or parties in which the pupil is counted in membership, and the instructional time scheduled for the pupil in the district or intermediate district is included in the full-time equated membership determination under subdivision (q) and section 101. However, for pupils receiving instruction in both a public school academy and in a district or intermediate district but not as a part of a cooperative education program, the following apply:

(i) If the public school academy provides instruction for at least 1/2 of the class hours required under section 101, the public school academy receives as its prorated share of the full-time equated membership

for each of those pupils an amount equal to 1 times the product of the hours of instruction the public school academy provides divided by the number of hours required under section 101 for full-time equivalency, and the remainder of the full-time membership for each of those pupils is allocated to the district or intermediate district providing the remainder of the hours of instruction.

(ii) If the public school academy provides instruction for less than 1/2 of the class hours required under section 101, the district or intermediate district providing the remainder of the hours of instruction receives as its prorated share of the full-time equated membership for each of those pupils an amount equal to 1 times the product of the hours of instruction the district or intermediate district provides divided by the number of hours required under section 101 for full-time equivalency, and the remainder of the full-time membership for each of those pupils is allocated to the public school academy.

(o) An individual less than 16 years of age as of September 1 of the current school year who is being educated in an alternative education program is not counted in membership if there are also adult education participants being educated in the same program or classroom.

(p) The department shall give a uniform interpretation of full-time and part-time memberships.

(q) The number of class hours used to calculate full-time equated memberships must be consistent with section 101. In determining full-time equated memberships for pupils who are enrolled in a postsecondary institution or for pupils engaged in an internship or work experience under section 1279h of the revised school code, MCL 380.1279h, a pupil is not considered to be less than a full-time equated pupil solely because of the effect of the pupil's postsecondary enrollment or engagement in the internship or work experience, including necessary travel time, on the number of class hours provided by the district to the pupil.

(r) Full-time equated memberships for pupils in kindergarten are determined by dividing the number of instructional hours scheduled and provided per year per kindergarten pupil by the same number used for determining full-time equated memberships for pupils in grades 1 to 12. However, to the extent allowable under federal law, for a district or public school academy that provides evidence satisfactory to the department that it used federal title I money in the 2 immediately preceding school fiscal years to fund full-time kindergarten, full-time equated memberships for pupils in kindergarten are determined by dividing the number of class hours scheduled and provided per year per kindergarten pupil by a number equal to 1/2 the number used for determining full-time equated memberships for pupils in grades 1 to 12. The change in the counting of full-time equated memberships for pupils in kindergarten that took effect for 2012-2013 is not a mandate.

(s) For a district or a public school academy that has pupils enrolled in a grade level that was not offered by the district or public school academy in the immediately preceding school year, the number of pupils enrolled in that grade level to be counted in membership is the average of the number of those pupils enrolled and in regular daily attendance on the pupil membership count day and the supplemental count day of the current school year. Membership is calculated by adding the number of pupils registered for attendance in that grade level on the pupil membership count day plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the superintendent, and as corrected by subsequent department audit, plus the final audited count from the supplemental count day for the current school year, and dividing that sum by 2.

(t) A pupil enrolled in a cooperative education program may be counted in membership in the pupil's district of residence with the written approval of all parties to the cooperative agreement.

(u) If, as a result of a disciplinary action, a district determines through the district's alternative or disciplinary education program that the best instructional placement for a pupil is in the pupil's home or otherwise apart from the general school population, if that placement is authorized in writing by the district superintendent and district alternative or disciplinary education supervisor, and if the district provides appropriate instruction as described in this subdivision to the pupil at the pupil's home or otherwise apart from the general school population, the district may count the pupil in membership on a pro rata basis, with the proration based on the number of hours of instruction the district actually provides to the pupil divided by the number of hours required under section 101 for full-time equivalency. For the purposes of this subdivision, a district is considered to be providing appropriate instruction if all of the following are met:

(i) The district provides at least 2 nonconsecutive hours of instruction per week to the pupil at the pupil's home or otherwise apart from the general school population under the supervision of a certificated teacher.

(ii) The district provides instructional materials, resources, and supplies that are comparable to those otherwise provided in the district's alternative education program.

(iii) Course content is comparable to that in the district's alternative education program.

(iv) Credit earned is awarded to the pupil and placed on the pupil's transcript.

(v) If a pupil was enrolled in a public school academy on the pupil membership count day, if the public school academy's contract with its authorizing body is revoked or the public school academy otherwise ceases to operate, and if the pupil enrolls in a district within 45 days after the pupil membership count day, the department shall adjust the district's pupil count for the pupil membership count day to include the pupil in the count.

(w) For a public school academy that has been in operation for at least 2 years and that suspended operations for at least 1 semester and is resuming operations, membership is the sum of the product of .90 times the number of full-time equated pupils in grades K to 12 actually enrolled and in regular daily attendance on the first pupil membership count day or supplemental count day, whichever is first, occurring after operations resume, plus the product of .10 times the final audited count from the most recent pupil membership count day or supplemental count day that occurred before suspending operations, as determined by the superintendent.

(x) If a district's membership for a particular fiscal year, as otherwise calculated under this subsection, would be less than 1,550 pupils, the district has 4.5 or fewer pupils per square mile, as determined by the department, and the district does not receive funding under section 22d(2), the district's membership is considered to be the membership figure calculated under this subdivision. If a district educates and counts in its membership pupils in grades 9 to 12 who reside in a contiguous district that does not operate grades 9 to 12 and if 1 or both of the affected districts request the department to use the determination allowed under this sentence, the department shall include the square mileage of both districts in determining the number of pupils per square mile for each of the districts for the purposes of this subdivision. If a district has established a community engagement advisory committee in partnership with the department of treasury, is required to submit a deficit elimination plan or an enhanced deficit elimination plan under section 1220 of the revised school code, MCL 380.1220, and is located in a city with a population between 9,000 and 11,000, as determined by the department, that is in a county with a population between 150,000 and 160,000, as determined by the department, the district's membership is considered to be the membership figure calculated under this subdivision. The membership figure calculated under this subdivision is the greater of the following:

(i) The average of the district's membership for the 3-fiscal-year period ending with that fiscal year, calculated by adding the district's actual membership for each of those 3 fiscal years, as otherwise calculated under this subsection, and dividing the sum of those 3 membership figures by 3.

(ii) The district's actual membership for that fiscal year as otherwise calculated under this subsection.

(y) Full-time equated memberships for special education pupils who are not enrolled in kindergarten but are enrolled in a classroom program under R 340.1754 of the Michigan Administrative Code are determined by dividing the number of class hours scheduled and provided per year by 450. Full-time equated memberships for special education pupils who are not enrolled in kindergarten but are receiving early childhood special education services under R 340.1755 or R 340.1862 of the Michigan Administrative Code are determined by dividing the number of hours of service scheduled and provided per year per pupil by 180.

(z) A pupil of a district that begins its school year after Labor Day who is enrolled in an intermediate district program that begins before Labor Day is not considered to be less than a full-time pupil solely due to instructional time scheduled but not attended by the pupil before Labor Day.

(aa) For the first year in which a pupil is counted in membership on the pupil membership count day in a middle college program, the membership is the average of the full-time equated membership on the pupil membership count day and on the supplemental count day for the current school year, as determined by the department. If a pupil described in this subdivision was counted in membership by the operating district on the immediately preceding supplemental count day, the pupil is excluded from the district's immediately preceding supplemental count for the purposes of determining the district's membership.

(bb) A district or public school academy that educates a pupil who attends a United States Olympic Education Center may count the pupil in membership regardless of whether or not the pupil is a resident of this state.

(cc) A pupil enrolled in a district other than the pupil's district of residence under section 1148(2) of the revised school code, MCL 380.1148, is counted in the educating district.

(dd) For a pupil enrolled in a dropout recovery program that meets the requirements of section 23a, the pupil is counted as 1/12 of a full-time equated membership for each month that the district operating the program reports that the pupil was enrolled in the program and was in full attendance. However, if the special membership counting provisions under this subdivision and the operation of the other membership counting provisions under this subsection result in a pupil being counted as more than 1.0 FTE in a fiscal year, the payment made for the pupil under sections 22a and 22b must not be based on more than 1.0 FTE for that pupil, and any portion of an FTE for that pupil that exceeds 1.0 is instead paid under section 25g. The district operating the program shall report to the center the number of pupils who were enrolled in the program and were in full attendance for a month not later than 30 days after the end of the month. A district shall not report a pupil as being in full attendance for a month unless both of the following are met:

(i) A personalized learning plan is in place on or before the first school day of the month for the first month the pupil participates in the program.

**(ii) Either of the following is met:**

**(A)** The pupil meets the district's definition under section 23a of satisfactory monthly progress for that month or, if the pupil does not meet that definition of satisfactory monthly progress for that month, the pupil did meet that definition of satisfactory monthly progress in the immediately preceding month and appropriate interventions, as defined by the district, are implemented within 10 school days after it is determined that the pupil does not meet that definition of satisfactory monthly progress.

**(B) For the first 2 months that the pupil participates in the program, the pupil earns 0.25 credit by the end of the second month. A pupil described in this sub-subparagraph may be retroactively reported as being in full attendance for the first month that the pupil participated in the program.**

(e) A pupil participating in a virtual course under section 21f is counted in membership in the district enrolling the pupil.

(ff) If a public school academy that is not in its first or second year of operation closes at the end of a school year and does not reopen for the next school year, the department shall adjust the membership count of the district or other public school academy in which a former pupil of the closed public school academy enrolls and is in regular daily attendance for the next school year to ensure that the district or other public school academy receives the same amount of membership aid for the pupil as if the pupil were counted in the district or other public school academy on the supplemental count day of the preceding school year.

(gg) If a special education pupil is expelled under section 1311 or 1311a of the revised school code, MCL 380.1311 and 380.1311a, and is not in attendance on the pupil membership count day because of the expulsion, and if the pupil remains enrolled in the district and resumes regular daily attendance during that school year, the district's membership is adjusted to count the pupil in membership as if the pupil had been in attendance on the pupil membership count day.

(hh) A pupil enrolled in a community district is counted in membership in the community district.

(ii) A part-time pupil enrolled in a nonpublic school in grades K to 12 in accordance with section 166b must not be counted as more than 0.75 of a full-time equated membership.

(jj) A district that borders another state or a public school academy that operates at least grades 9 to 12 and is located within 20 miles of a border with another state may count in membership a pupil who is enrolled in a course at a college or university that is located in the bordering state and within 20 miles of the border with this state if all of the following are met:

(i) The pupil would meet the definition of an eligible student under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, if the course were an eligible course under that act.

(ii) The course in which the pupil is enrolled would meet the definition of an eligible course under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, if the course were provided by an eligible postsecondary institution under that act.

(iii) The department determines that the college or university is an institution that, in the other state, fulfills a function comparable to a state university or community college, as those terms are defined in section 3 of the postsecondary enrollment options act, 1996 PA 160, MCL 388.513, or is an independent nonprofit degree-granting college or university.

(iv) The district or public school academy pays for a portion of the pupil's tuition at the college or university in an amount equal to the eligible charges that the district or public school academy would pay to an eligible postsecondary institution under the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524, as if the course were an eligible course under that act.

(v) The district or public school academy awards high school credit to a pupil who successfully completes a course as described in this subdivision.

(kk) A pupil enrolled in a middle college program may be counted for more than a total of 1.0 full-time equated membership for any of the school years in which the pupil is enrolled in the middle college program, but the total full-time equated membership for that pupil for all of the school years in which the pupil is enrolled in high school must not be greater than 5.00 full-time equated membership if the pupil is enrolled in more than the minimum number of instructional days and hours required under section 101 and the pupil is expected to complete the 5-year program with both a high school diploma and at least 60 transferable college credits or is expected to earn an associate's degree in fewer than 5 years. A pupil who graduates with both a high school diploma and at least 60 transferable college credits or an associate degree at least 1 semester early is considered to have completed the middle college program in fewer than 5 years.

(ll) If a district's or public school academy's membership for a particular fiscal year, as otherwise calculated under this subsection, includes pupils counted in membership who are enrolled under section 166b, all of the following apply for the purposes of this subdivision:

(i) If the district's or public school academy's membership for pupils counted under section 166b equals or exceeds 5% of the district's or public school academy's membership for pupils not counted in membership under section 166b in the immediately preceding fiscal year, then the growth in the district's or public school academy's membership for pupils counted under section 166b must not exceed 10%.

(ii) If the district's or public school academy's membership for pupils counted under section 166b is less than 5% of the district's or public school academy's membership for pupils not counted in membership under section 166b in the immediately preceding fiscal year, then the district's or public school academy's membership for pupils counted under section 166b must not exceed the greater of the following:

(A) Five percent of the district's or public school academy's membership for pupils not counted in membership under section 166b.

(B) Ten percent more than the district's or public school academy's membership for pupils counted under section 166b in the immediately preceding fiscal year.

(iii) If 1 or more districts consolidate or are parties to an annexation, then the calculations under subparagraphs (i) and (ii) must be applied to the combined total membership for pupils counted in those districts for the fiscal year immediately preceding the consolidation or annexation.

(5) "Public school academy" means that term as defined in section 5 of the revised school code, MCL 380.5.

(6) "Pupil" means an individual in membership in a public school. A district must have the approval of the pupil's district of residence to count the pupil in membership, except approval by the pupil's district of residence is not required for any of the following:

(a) A nonpublic part-time pupil enrolled in grades K to 12 in accordance with section 166b.

(b) A pupil receiving 1/2 or less of the pupil's instruction in a district other than the pupil's district of residence.

(c) A pupil enrolled in a public school academy.

(d) A pupil enrolled in a district other than the pupil's district of residence if the pupil is enrolled in accordance with section 105 or 105c.

(e) A pupil who has made an official written complaint or whose parent or legal guardian has made an official written complaint to law enforcement officials and to school officials of the pupil's district of residence that the pupil has been the victim of a criminal sexual assault or other serious assault, if the official complaint either indicates that the assault occurred at school or that the assault was committed by 1 or more other pupils enrolled in the school the pupil would otherwise attend in the district of residence or by an employee of the district of residence. A person who intentionally makes a false report of a crime to law enforcement officials for the purposes of this subdivision is subject to section 411a of the Michigan penal code, 1931 PA 328, MCL 750.411a, which provides criminal penalties for that conduct. As used in this subdivision:

(i) "At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

(ii) "Serious assault" means an act that constitutes a felony violation of chapter XI of the Michigan penal code, 1931 PA 328, MCL 750.81 to 750.90h, or that constitutes an assault and infliction of serious or aggravated injury under section 81a of the Michigan penal code, 1931 PA 328, MCL 750.81a.

(f) A pupil whose district of residence changed after the pupil membership count day and before the supplemental count day and who continues to be enrolled on the supplemental count day as a nonresident in the district in which the pupil was enrolled as a resident on the pupil membership count day of the same school year.

(g) A pupil enrolled in an alternative education program operated by a district other than the pupil's district of residence who meets 1 or more of the following:

(i) The pupil has been suspended or expelled from the pupil's district of residence for any reason, including, but not limited to, a suspension or expulsion under section 1310, 1311, or 1311a of the revised school code, MCL 380.1310, 380.1311, and 380.1311a.

(ii) The pupil had previously dropped out of school.

(iii) The pupil is pregnant or is a parent.

(iv) The pupil has been referred to the program by a court.

(h) A pupil enrolled in the Michigan Virtual School, for the pupil's enrollment in the Michigan Virtual School.

(i) A pupil who is the child of a person who works at the district or who is the child of a person who worked at the district as of the time the pupil first enrolled in the district but who no longer works at the district due to a workforce reduction. As used in this subdivision, "child" includes an adopted child, stepchild, or legal ward.

(j) An expelled pupil who has been denied reinstatement by the expelling district and is reinstated by another school board under section 1311 or 1311a of the revised school code, MCL 380.1311 and 380.1311a.

(k) A pupil enrolled in a district other than the pupil's district of residence in a middle college program if the pupil's district of residence and the enrolling district are both constituent districts of the same intermediate district.

(l) A pupil enrolled in a district other than the pupil's district of residence who attends a United States Olympic Education Center.

(m) A pupil enrolled in a district other than the pupil's district of residence under section 1148(2) of the revised school code, MCL 380.1148.

(n) A pupil who enrolls in a district other than the pupil's district of residence as a result of the pupil's school not making adequate yearly progress under the no child left behind act of 2001, Public Law 107-110, or the every student succeeds act, Public Law 114-95.

However, if a district educates pupils who reside in another district and if the primary instructional site for those pupils is established by the educating district after 2009-2010 and is located within the boundaries of that other district, the educating district must have the approval of that other district to count those pupils in membership.

(7) "Pupil membership count day" of a district or intermediate district means:

(a) Except as provided in subdivision (b) or (c), either of the following:

(i) The first Wednesday in October each school year.

(ii) For a district or building in which school is not in session on the Wednesday described in subparagraph (i) due to conditions not within the control of school authorities, with the approval of the superintendent, the immediately following day on which school is in session in the district or building.

(b) Except as otherwise provided in subdivision (c), for a district or intermediate district maintaining school during the entire school year, the following days:

(i) Fourth Wednesday in July.

(ii) First Wednesday in October.

(iii) Second Wednesday in February.

(iv) Fourth Wednesday in April.

(c) If a date listed in subdivision (a) or (b) is on a day of religious or cultural significance, as determined by the district or intermediate district, the immediately following day on which school is in session in the district or building.

(8) "Pupils in grades K to 12 actually enrolled and in regular daily attendance" means, except as otherwise provided in this section, pupils in grades K to 12 in attendance and receiving instruction in all classes for which they are enrolled on the pupil membership count day or the supplemental count day, as applicable. Except as otherwise provided in this section and subsection, a pupil who is absent from any of the classes in which the pupil is enrolled on the pupil membership count day or supplemental count day and who does not attend each of those classes during the 10 consecutive school days immediately following the pupil membership count day or supplemental count day, except for a pupil who has been excused by the district, is not counted as 1.0 full-time equated membership. Except as otherwise provided in this section, a pupil who is excused from attendance on the pupil membership count day or supplemental count day and who fails to attend each of the classes in which the pupil is enrolled within 30 calendar days after the pupil membership count day or supplemental count day is not counted as 1.0 full-time equated membership. Except as otherwise provided in this section, in addition, a pupil who was enrolled and in attendance in a district, intermediate district, or public school academy before the pupil membership count day or supplemental count day of a particular year but was expelled or suspended on the pupil membership count day or supplemental count day is only counted as 1.0 full-time equated membership if the pupil resumed attendance in the district, intermediate district, or public school academy within 45 days after the pupil membership count day or supplemental count day of that particular year. Except as otherwise provided in this section, a pupil not counted as 1.0 full-time equated membership due to an absence from a class is counted as a prorated membership for the classes the pupil attended. For purposes of this subsection:

(a) "Appropriately placed" means holding a valid Michigan educator credential with the required grade range and discipline or subject area for the assignment, as defined by the superintendent of public instruction.

(b) "Class" means either of the following, as applicable:

(i) A period of time in 1 day when pupils and an individual who is appropriately placed under a valid certificate, substitute permit, authorization, or approval issued by the department, are together and instruction is taking place. This subdivision does not apply for the 2020-2021, 2021-2022, 2022-2023, and 2023-2024 school years.

(ii) For the 2020-2021, 2021-2022, 2022-2023, and 2023-2024 school years only, a period of time in 1 day when pupils and a certificated teacher, a teacher engaged to teach under section 1233b of the revised school code, MCL 380.1233b, or an individual working under a valid substitute permit, authorization, or approval issued by the department are together and instruction is taking place.

(9) "Rule" means a rule promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(10) "The revised school code" means the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.



(11) “School district of the first class”, “first class school district”, and “district of the first class” mean, for the purposes of this article only, a district that had at least 40,000 pupils in membership for the immediately preceding fiscal year.

(12) “School fiscal year” means a fiscal year that commences July 1 and continues through June 30.

(13) “State board” means the state board of education.

(14) “Superintendent”, unless the context clearly refers to a district or intermediate district superintendent, means the superintendent of public instruction described in section 3 of article VIII of the state constitution of 1963.

(15) “Supplemental count day” means the day on which the supplemental pupil count is conducted under section 6a.

(16) “Tuition pupil” means a pupil of school age attending school in a district other than the pupil’s district of residence for whom tuition may be charged to the district of residence. Tuition pupil does not include a pupil who is a special education pupil, a pupil described in subsection (6)(d) to (n), or a pupil whose parent or guardian voluntarily enrolls the pupil in a district that is not the pupil’s district of residence. A pupil’s district of residence shall not require a high school tuition pupil, as provided under section 111, to attend another school district after the pupil has been assigned to a school district.

(17) “State school aid fund” means the state school aid fund established in section 11 of article IX of the state constitution of 1963.

(18) “Taxable value” means, except as otherwise provided in this article, the taxable value of property as determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(19) “Textbook” means a book, electronic book, or other instructional print or electronic resource that is selected and approved by the governing board of a district and that contains a presentation of principles of a subject, or that is a literary work relevant to the study of a subject required for the use of classroom pupils, or another type of course material that forms the basis of classroom instruction.

(20) “Total state aid” or “total state school aid”, except as otherwise provided in this article, means the total combined amount of all funds due to a district, intermediate district, or other entity under this article.

Sec. 11. (1) For the fiscal year ending September 30, 2023, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of ~~\$17,270,268,900.00~~ **\$17,290,268,900.00** from the state school aid fund, the sum of \$124,350,000.00 from the general fund, an amount not to exceed \$72,000,000.00 from the community district education trust fund created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, an amount not to exceed \$200,000.00 from the school transportation fund created under section 22k, an amount not to exceed \$25,000,000.00 from the school meals reserve fund created under section 30e, and an amount not to exceed \$140,400,000.00 from the MPERS retirement obligation reform reserve fund created under section 147b. For the fiscal year ending September 30, 2024, there is appropriated for the public schools of this state and certain other state purposes relating to education the sum of \$18,364,157,800.00 from the state school aid fund, the sum of \$87,900,000.00 from the general fund, an amount not to exceed \$72,000,000.00 from the community district education trust fund created under section 12 of the Michigan trust fund act, 2000 PA 489, MCL 12.262, an amount not to exceed \$245,000,000.00 from the school consolidation and infrastructure fund created under section 11x, an amount not to exceed \$125,000,000.00 from the school transportation fund created under section 22k, an amount not to exceed \$71,000,000.00 from the enrollment stabilization fund created under section 29, an amount not to exceed \$60,000,000.00 from the school meals reserve fund created under section 30e, an amount not to exceed \$18,000,000.00 from the great start readiness program reserve fund created under section 32e, and an amount not to exceed \$215,800,000.00 from the MPERS retirement obligation reform reserve fund created under section 147b. In addition, all available federal funds are only appropriated as allocated in this article for the fiscal years ending September 30, 2023 and September 30, 2024.

(2) The appropriations under this section are allocated as provided in this article. Money appropriated under this section from the general fund must be expended to fund the purposes of this article before the expenditure of money appropriated under this section from the state school aid fund.

(3) Any general fund allocations under this article that are not expended by the end of the fiscal year are transferred to the school aid stabilization fund created under section 11a.

Sec. 12a. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2022-2023 only an amount not to exceed \$50,000,000.00 for competitive grants to participating schools to lower energy costs and improve health outcomes at school facilities through the healthy schools grant program created under this section. The department shall create a healthy schools grant program to disburse grant funding for the purposes under this section.

(2) Except as otherwise provided in this subsection, to receive a grant under this section, a participating school must apply for the grant in a form and manner prescribed by the department, in collaboration with the department of environment, Great Lakes, and energy and the department of health and human services. An application described in this subsection must be evaluated using the following scoring criteria:

(a) Utilizing Justice40 parameters.

(b) Prioritizing applicants from the National Ambient Air Quality Standards nonattainment zones; high asthma burden areas; environmental justice areas; small area income and poverty estimates (SAIPE) program areas; rural areas, defined by locale codes “43-Rural: Remote” and “42-Rural: Distant” by the National Center for Education Statistics; and communities with high free and reduced lunch participation rates.

(c) Prioritizing applicants utilizing union labor and Michigan companies for evaluation and installation of improvements.

(d) Prioritizing initial distribution of funds to participating schools that participated in the racial disparities task force initiative evaluating and analyzing opportunities to improve air quality in K to 12 facilities in environmental justice communities.

(3) Grants awarded to participating schools under this section must be used only for 1 or more of the following purposes:

(a) Indoor air quality improvements, including HVAC and air-conditioning needs.

(b) Energy enhancements, including energy efficiencies, on-site renewable energy production, and facility electrification.

(c) Toxin remediation, including the removal of lead and, subject to section 168a, asbestos.

(d) Drinking water system upgrades, including the installation of hydration stations. A participating school’s matching funds requirement to access healthy hydration funding is an eligible use under this subsection.

(4) ~~Each~~ **Except as otherwise provided in this subsection, each** participating school receiving a grant under this section shall match at least 50% of the grant funding received with other sources toward the completion of projects commenced for purposes of this section. **The match requirement in this subsection does not apply to funding used for the purposes described in subsection (3)(d).**

(5) The funds allocated under this section for 2022-2023 are a work project appropriation, and any unexpended funds for 2022-2023 are carried forward into 2023-2024. The purpose of the work project is to lower energy costs and improve health outcomes at school facilities. The estimated completion date of the work project is September 30, 2027.

(6) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

(7) As used in this section, “participating school” means a district or intermediate district.

Sec. 12c. (1) From the school consolidation and infrastructure fund created under section 11x, there is allocated for 2023-2024 only an amount not to exceed \$245,000,000.00 for grants to districts and intermediate districts to support the initial costs related to the consolidation or the consolidation of services identified in the feasibility study or analysis conducted under section 11x.

(2) To be eligible for funding under this section, a district or intermediate district must apply for the funding in a form and manner prescribed by the department. An intermediate district may apply for funding on behalf of a district if the intermediate district is providing the consolidated services. An application described in this subsection must include all of the following:

(a) An assurance that the district or intermediate district was included in a feasibility study or analysis conducted under section 11x.

(b) An assurance that the consolidation or the consolidated service or services being funded were included as a recommendation in a feasibility study or analysis conducted under section 11x.

(c) A brief description of how the district or intermediate district plans to implement changes, as outlined in a feasibility study or analysis conducted under section 11x, where possible.

(d) An assurance that the district or intermediate district will submit to the department an annual report documenting the estimated savings produced as a result of the consolidation or the consolidation of services.

(e) A budget of the estimated first-year costs associated with the consolidation or the consolidation of services, in the form and manner prescribed by the department.

(3) If funding under this section is not sufficient to fully fund all applicants, the department shall do either of the following:

(a) Ensure that awards under this section are determined based upon a competitive grant process.

(b) Distribute funds under this section on a prorated or other equitable basis as determined by the department.

(4) Each intermediate district that receives funding under this section and also receives funding under section 11x(6) for 2022-2023 shall, in consultation with its constituent districts that receive funds under this section, submit a report to the department not later than June 30, 2025. **Each district that receives funding under this section and also receives funding under section 11x(6) that is separate from the funding received by its intermediate district for 2022-2023 shall submit a report to the department by not later than June 30, 2025.** The report must include all of the following information regarding the consolidation or consolidation of services supported by funding under this section, in the form and manner prescribed by the department:

(a) The amount previously spent on each consolidation or consolidation of service in the prior fiscal year.

(b) The number of students impacted by the consolidation or the consolidation of service.



(c) The vendors, third-party entities, or other educational entities used for consolidation or to consolidate the service or services.

(d) The impact on student learning attributable to money reallocated as a result of the consolidation or consolidated service or services.

(e) A total of cost savings produced as a result of the consolidation or the consolidation of services, in the form and manner prescribed by the department.

(5) As used in this section, "constituent district" means that term as defined in section 3 of the revised school code, MCL 380.3.

Sec. 20. (1) All of the following apply:

(a) For 2022-2023, the target foundation allowance is \$9,150.00.

(b) For 2023-2024, the target foundation allowance is \$9,608.00.

(2) The department shall calculate the amount of each district's foundation allowance as provided in this section, using a target foundation allowance in the amount specified in subsection (1).

(3) Except as otherwise provided in this section, the department shall calculate the amount of a district's foundation allowance as follows, using in all calculations the total amount of the district's foundation allowance as calculated before any proration:

(a) For a district that had a foundation allowance for the immediately preceding fiscal year that was equal to the target foundation allowance for the immediately preceding fiscal year, the district receives a foundation allowance in an amount equal to the target foundation allowance described in subsection (1) for the current fiscal year.

(b) For a district that had a foundation allowance for the immediately preceding fiscal year that was greater than the target foundation allowance for the immediately preceding fiscal year, the district's foundation allowance is an amount equal to the lesser of (the sum of the district's foundation allowance for the immediately preceding fiscal year plus any per pupil amount calculated under section 20m(2) in the immediately preceding fiscal year plus the increase in the target foundation allowance for the current fiscal year, as compared to the immediately preceding fiscal year) or (the product of the district's foundation allowance for the immediately preceding fiscal year times the percentage increase in the United States Consumer Price Index in the calendar year ending in the immediately preceding fiscal year as reported by the May revenue estimating conference conducted under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b).

~~(c) For a district that has a foundation allowance that is less than the target foundation allowance in the current fiscal year but had a foundation allowance in fiscal year 2020-2021 that was greater than the target foundation allowance in effect for that fiscal year, the district's foundation allowance is an amount equal to the lesser of (the sum of the district's foundation allowance for fiscal year 2020-2021 plus the increase in the target foundation allowance for the current fiscal year, as compared to fiscal year 2020-2021) or (the product of the district's foundation allowance for the immediately preceding fiscal year times the percentage increase in the United States Consumer Price Index in the calendar year ending in the immediately preceding fiscal year as reported by the May revenue estimating conference conducted under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b).~~

**(c) For a district that had a foundation allowance in the immediately preceding fiscal year that was less than the target foundation allowance in effect for that fiscal year, the district's foundation allowance is an amount equal to the lesser of (the sum of district's foundation allowance for the immediately preceding fiscal year plus any per pupil amount calculated under section 20m(2) in the immediately preceding fiscal year plus the increase in the target foundation allowance for the current fiscal year, as compared to the immediately preceding fiscal year) or (the product of the district's foundation allowance for the immediately preceding fiscal year times the percentage increase in the United States Consumer Price Index in the calendar year ending in the immediately preceding fiscal year as reported by the May revenue estimating conference conducted under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b).**

(d) For a district that has a foundation allowance that is not a whole dollar amount, the department shall round the district's foundation allowance up to the nearest whole dollar.

(4) Except as otherwise provided in this subsection, the state portion of a district's foundation allowance is an amount equal to the district's foundation allowance or the target foundation allowance for the current fiscal year, whichever is less, minus the local portion of the district's foundation allowance. Except as otherwise provided in this subsection, for a district described in subsection (3)(b) and (c), the state portion of the district's foundation allowance is an amount equal to the target foundation allowance minus the district's foundation allowance supplemental payment per pupil calculated under section 20m and minus the local portion of the district's foundation allowance. For a district that has a millage reduction required under section 31 of article IX of the state constitution of 1963, the department shall calculate the state portion of

the district's foundation allowance as if that reduction did not occur. For a receiving district, if school operating taxes continue to be levied on behalf of a dissolved district that has been attached in whole or in part to the receiving district to satisfy debt obligations of the dissolved district under section 12 of the revised school code, MCL 380.12, the taxable value per membership pupil of property in the receiving district used for the purposes of this subsection does not include the taxable value of property within the geographic area of the dissolved district. For a community district, if school operating taxes continue to be levied by a qualifying school district under section 12b of the revised school code, MCL 380.12b, with the same geographic area as the community district, the taxable value per membership pupil of property in the community district to be used for the purposes of this subsection does not include the taxable value of property within the geographic area of the community district.

(5) The allocation calculated under this section for a pupil is based on the foundation allowance of the pupil's district of residence. For a pupil enrolled under section 105 or 105c in a district other than the pupil's district of residence, the allocation calculated under this section is based on the lesser of the foundation allowance of the pupil's district of residence or the foundation allowance of the educating district. For a pupil in membership in a K-5, K-6, or K-8 district who is enrolled in another district in a grade not offered by the pupil's district of residence, the allocation calculated under this section is based on the foundation allowance of the educating district if the educating district's foundation allowance is greater than the foundation allowance of the pupil's district of residence. The calculation under this subsection must take into account a district's per-pupil allocation under section 20m.

(6) Except as otherwise provided in this subsection, for pupils in membership, other than special education pupils, in a public school academy, the allocation calculated under this section is an amount per membership pupil other than special education pupils in the public school academy equal to the target foundation allowance specified in subsection (1), or, for a public school academy that was issued a contract under section 552 of the revised school code, MCL 380.552, to operate as a school of excellence that is a cyber school, \$9,150.00. Notwithstanding section 101, for a public school academy that begins operations after the pupil membership count day, the amount per membership pupil calculated under this subsection must be adjusted by multiplying that amount per membership pupil by the number of hours of pupil instruction provided by the public school academy after it begins operations, as determined by the department, divided by the minimum number of hours of pupil instruction required under section 101(3). The result of this calculation must not exceed the amount per membership pupil otherwise calculated under this subsection.

(7) For pupils in membership, other than special education pupils, in a community district, the allocation calculated under this section is an amount per membership pupil other than special education pupils in the community district equal to the foundation allowance of the qualifying school district, as described in section 12b of the revised school code, MCL 380.12b, that is located within the same geographic area as the community district.

(8) Subject to subsection (4), for a district that is formed or reconfigured after June 1, 2002 by consolidation of 2 or more districts or by annexation, the resulting district's foundation allowance under this section beginning after the effective date of the consolidation or annexation is the lesser of the sum of the average of the foundation allowances of each of the original or affected districts, calculated as provided in this section, weighted as to the percentage of pupils in total membership in the resulting district who reside in the geographic area of each of the original or affected districts plus \$100.00 or the highest foundation allowance among the original or affected districts. This subsection does not apply to a receiving district unless there is a subsequent consolidation or annexation that affects the district. The calculation under this subsection must take into account a district's per-pupil allocation under section 20m.

(9) The department shall round each fraction used in making calculations under this section to the fourth decimal place and shall round the dollar amount of an increase in the target foundation allowance to the nearest whole dollar.

(10) For 2022-2023, state payments related to payment of the foundation allowance for a special education pupil are not calculated under this section but are instead calculated as follows:

(a) Twenty-five percent is calculated under section 51a.

(b) Seventy-five percent is calculated under section 51e.

(11) For 2023-2024, state payments related to payment of the foundation allowance for a special education pupil are not calculated under this section but are instead calculated under section 51e.

(12) To assist the legislature in determining the target foundation allowance for the subsequent fiscal year, each revenue estimating conference conducted under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b, must calculate a pupil membership factor, a revenue adjustment factor, and an index as follows:

(a) The pupil membership factor is computed by dividing the estimated membership in the school year ending in the current fiscal year, excluding intermediate district membership, by the estimated membership

for the school year ending in the subsequent fiscal year, excluding intermediate district membership. If a consensus membership factor is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(b) The revenue adjustment factor is computed by dividing the sum of the estimated total state school aid fund revenue for the subsequent fiscal year plus the estimated total state school aid fund revenue for the current fiscal year, adjusted for any change in the rate or base of a tax the proceeds of which are deposited in that fund and excluding money transferred into that fund from the countercyclical budget and economic stabilization fund under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, by the sum of the estimated total school aid fund revenue for the current fiscal year plus the estimated total state school aid fund revenue for the immediately preceding fiscal year, adjusted for any change in the rate or base of a tax the proceeds of which are deposited in that fund. If a consensus revenue factor is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(c) The index is calculated by multiplying the pupil membership factor by the revenue adjustment factor. If a consensus index is not determined at the revenue estimating conference, the principals of the revenue estimating conference shall report their estimates to the house and senate subcommittees responsible for state school aid appropriations not later than 7 days after the conclusion of the revenue conference.

(13) Payments to districts and public school academies are not made under this section. Rather, the calculations under this section are used to determine the amount of state payments under section 22b.

(14) If an amendment to section 2 of article VIII of the state constitution of 1963 allowing state aid to some or all nonpublic schools is approved by the voters of this state, each foundation allowance or per-pupil payment calculation under this section may be reduced.

(15) As used in this section:

(a) "Certified mills" means the lesser of 18 mills or the number of mills of school operating taxes levied by the district in 1993-94.

(b) "Current fiscal year" means the fiscal year for which a particular calculation is made.

(c) "Dissolved district" means a district that loses its organization, has its territory attached to 1 or more other districts, and is dissolved as provided under section 12 of the revised school code, MCL 380.12.

(d) "Immediately preceding fiscal year" means the fiscal year immediately preceding the current fiscal year.

(e) "Local portion of the district's foundation allowance" means an amount that is equal to the difference between (the sum of the product of the taxable value per membership pupil of all property in the district that is nonexempt property times the district's certified mills and, for a district with certified mills exceeding 12, the product of the taxable value per membership pupil of property in the district that is commercial personal property times the certified mills minus 12 mills) and (the quotient of the product of the captured assessed valuation under tax increment financing acts times the district's certified mills divided by the district's membership excluding special education pupils).

(f) "Membership" means the definition of that term under section 6 as in effect for the particular fiscal year for which a particular calculation is made.

(g) "Nonexempt property" means property that is not a principal residence, qualified agricultural property, qualified forest property, supportive housing property, industrial personal property, commercial personal property, or property occupied by a public school academy.

(h) "Principal residence", "qualified agricultural property", "qualified forest property", "supportive housing property", "industrial personal property", and "commercial personal property" mean those terms as defined in section 1211 of the revised school code, MCL 380.1211.

(i) "Receiving district" means a district to which all or part of the territory of a dissolved district is attached under section 12 of the revised school code, MCL 380.12.

(j) "School operating purposes" means the purposes included in the operation costs of the district as prescribed in sections 7 and 18 and purposes authorized under section 1211 of the revised school code, MCL 380.1211.

(k) "School operating taxes" means local ad valorem property taxes levied under section 1211 of the revised school code, MCL 380.1211, and retained for school operating purposes.

(l) "Tax increment financing acts" means parts 2, 3, 4, and 6 of the recodified tax increment financing act, 2018 PA 57, MCL 125.4201 to 125.4420 and 125.4602 to 125.4629, or the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2670.

(m) "Taxable value per membership pupil" means taxable value, as certified by the county treasurer and reported to the department, for the calendar year ending in the current state fiscal year divided by the district's membership excluding special education pupils for the school year ending in the current state fiscal year.

Sec. 22l. (1) From the school transportation fund money appropriated under section 11, there is allocated for 2023-2024 only an amount not to exceed \$125,000,000.00 to districts **and intermediate districts** for transportation costs. Funding for each district **or intermediate district** is as follows:

(a) The department must assign each district **and intermediate district** to a quartile based on the number of riders per **square** mile and calculate the median cost per rider for each quartile.

(b) Funds must be distributed to each district **and intermediate district** at the lesser of the quartile's median cost per rider or the actual transportation cost per general education student at the district **or intermediate district**.

(c) If funds are insufficient to fully fund payments under this section, payments may be prorated on an equal percentage basis.

(2) In addition to the funds allocated under subsection (1), from the school transportation fund money appropriated under section 11, there is allocated for 2022-2023 only an amount not to exceed \$200,000.00 to an intermediate district for a study on district transportation costs. The intermediate district receiving funds under this subsection must submit a report to the department, the state budget director, the house and senate appropriations subcommittees on school aid, and the house and senate fiscal agencies by February 29, 2024 on the outcomes of the study under this subsection.

**(3) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.**

Sec. 31a. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 an amount not to exceed ~~\$990,150,000.00~~, **\$1,035,150,000.00**, and from the general fund money appropriated in section 11 there is allocated for 2023-2024 an amount not to exceed \$1,500,000.00 for payments to eligible districts and eligible public school academies for the purposes of ensuring that pupils are proficient in English language arts by the end of grade 3, that pupils are proficient in mathematics by the end of grade 8, that pupils are attending school regularly, that high school graduates are career and college ready, and for the purposes under subsections (7), ~~and (8)~~, **(19), and (20)**.

(2) For a district or public school academy to be eligible to receive funding under this section, other than funding under subsection (7), ~~or (8)~~, **(19), or (20)**, the district or public school academy, for grades K to 12, must comply with the requirements under section 1280f of the revised school code, MCL 380.1280f, and ~~shall~~ **must** use resources to address early literacy and numeracy, and for at least grades K to 12 or, if the district or public school academy does not operate all of grades K to 12, for all of the grades it operates, must implement a multi-tiered system of supports that is an evidence-based framework that uses data driven problem solving to integrate academic and behavioral instruction and that uses intervention delivered to all pupils in varying intensities based on pupil needs. The multi-tiered system of supports described in this subsection must provide at least all of the following essential components:

- (a) Team-based leadership.
- (b) A tiered delivery system.
- (c) Selection and implementation of instruction, interventions, and supports.
- (d) A comprehensive screening and assessment system.
- (e) Continuous data-based decision making.

(3) From the state school aid fund money allocated under subsection (1), there is allocated for 2023-2024 an amount not to exceed \$952,000,000.00 to continue a weighted foundation per pupil payment for districts and public school academies enrolling economically disadvantaged pupils. The department shall pay under this subsection to each eligible district or eligible public school academy an amount per pupil equal to a percentage calculated under subsection (4) multiplied by the target foundation allowance for the following, as applicable:

(a) Except as otherwise provided under subdivision (b), (c), or (d) the greater of the following:

(i) The number of membership pupils in the district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year.

(ii) If the district or public school academy is in the community eligibility program, the number of pupils determined to be eligible based on the product of the identified student percentage multiplied by the total number of pupils in the district or public school academy, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the immediately preceding fiscal year. These calculations must be made at the building level. This subparagraph only applies to an eligible district or eligible public school academy for the fiscal year immediately following the first fiscal year in which it is in the community eligibility program. As used in this subparagraph, "identified student percentage" means the quotient of the number of pupils in an eligible district or eligible public school academy who are determined to be economically disadvantaged, as reported to the center in a

form and manner prescribed by the center, not later than the fifth Wednesday after the pupil membership count day in the fiscal year preceding the first fiscal year in which the eligible district or eligible public school academy is in the community eligibility program, divided by the total number of pupils counted in an eligible district or eligible public school academy on the pupil membership count day in the fiscal year preceding the first fiscal year in which the eligible district or eligible public school academy is in the community eligibility program.

(b) If the district or public school academy began operations as a district or public school academy after the pupil membership count day of the immediately preceding school year, the number of membership pupils in the district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the pupil membership count day of the current fiscal year.

(c) If the district or public school academy began operations as a district or public school academy after the pupil membership count day of the current fiscal year, the number of membership pupils in the district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the supplemental count day of the current fiscal year.

(d) If, for a particular fiscal year, the number of membership pupils in a district or public school academy who are determined under subdivision (a) to be economically disadvantaged or to be eligible based on the identified student percentage varies by more than 20 percentage points from the number of those pupils in the district or public school academy as calculated under subdivision (a) for the immediately preceding fiscal year caused by an egregious reporting error by the district or public school academy, the department may choose to have the calculations under subdivision (a) instead be made using the number of membership pupils in the district or public school academy who are determined to be economically disadvantaged, as reported to the center in the form and manner prescribed by the center not later than the fifth Wednesday after the supplemental count day of the immediately preceding fiscal year.

(4) Each district or public school academy must be assigned to an opportunity index score each fiscal year, the value of which is the quotient of the number of economically disadvantaged pupils as determined under subsection (3) for the district or public school academy and the total number of pupils in the district or public school academy in the immediately preceding fiscal year, multiplied by 100 and rounded up to the nearest whole number. Each district or public school academy must be assigned an opportunity index band as follows:

(a) A district or public school academy with an opportunity index score greater than or equal to 0 but less than 20 must be assigned to band 1 and shall receive reimbursement under subsection (3) at a rate of at least 35.0% and less than 36.0%. The reimbursement rate under this subdivision must be an amount equal to the district's opportunity index score minus 1, multiplied by the band adjustment factor applicable to this subdivision, plus 35.0%.

(b) A district or public school academy with an opportunity index score greater than or equal to 20 but less than 44 must be assigned to band 2 and shall receive reimbursement under subsection (3) at a rate of at least 36.0% and less than 37.5%. The reimbursement rate under this subdivision must be an amount equal to the district's opportunity index score minus 20, multiplied by the band adjustment factor applicable to this subdivision, plus 36.0%.

(c) A district or public school academy with an opportunity index score greater than or equal to 44 but less than 59 must be assigned to band 3 and shall receive reimbursement under subsection (3) at a rate of at least 37.5% and less than 39.0%. The reimbursement rate under this subdivision must be an amount equal to the district's opportunity index score minus 44, multiplied by the band adjustment factor applicable to this subdivision, plus 37.5%.

(d) A district or public school academy with an opportunity index score greater than or equal to 59 but less than 73 must be assigned to band 4 and shall receive reimbursement under subsection (3) at a rate of at least 39.0% and less than 42.0%. The reimbursement rate under this subdivision must be an amount equal to the district's opportunity index score minus 59, multiplied by the band adjustment factor applicable to this subdivision, plus 39.0%.

(e) A district or public school academy with an opportunity index score greater than or equal to 73 but less than 85 must be assigned to band 5 and shall receive reimbursement under subsection (3) at a rate of at least 42.0% and less than 47.0%. The reimbursement rate under this subdivision must be an amount equal to the district's opportunity index score minus 73, multiplied by the band adjustment factor applicable to this subdivision, plus 42.0%.

(f) A district or public school academy with an opportunity index score greater than or equal to 85 must be assigned to band 6 and shall receive reimbursement under subsection (3) at a rate of 47.0%.

(g) As used in this subsection, "band adjustment factor" means an amount equal to the difference between the lowest and highest reimbursement bounds for each band, divided by the number of possible opportunity index scores in that band.

(5) Except as otherwise provided in this section, a district or public school academy receiving funding under this section shall use that money only to provide instructional programs and direct noninstructional services, including, but not limited to, medical, mental health, or counseling services, for at-risk pupils; for school health clinics; and for the purposes of subsection (6), (7), ~~(8)~~, (19), or (20). In addition, a district that is a school district of the first class or a district or public school academy in which at least 50% of the pupils in membership were determined to be economically disadvantaged in the immediately preceding state fiscal year, as determined and reported as described in subsection (3), may use the funds it receives under this section for school security or school parent liaison personnel. The uses of the funds described in the immediately preceding sentence must align to the needs assessment and the multi-tiered system of supports model and, for funds spent on parent liaison personnel, must connect parents to the school community. A district or public school academy shall not use any of the money received under this section for administrative costs. The instruction or direct noninstructional services provided under this section may be conducted before or after regular school hours or by adding extra school days to the school year.

(6) A district or public school academy that receives funds under this section and that operates a school breakfast program under section 1272a of the revised school code, MCL 380.1272a, shall use from the funds received under this section an amount, not to exceed \$10.00 per pupil for whom the district or public school academy receives funds under this section, necessary to pay for costs associated with the operation of the school breakfast program.

(7) From the state school aid fund money allocated under subsection (1), there is allocated for 2023-2024 an amount not to exceed \$33,000,000.00 to support primary health care services provided to children and adolescents up to age 21. These funds must be expended in a form and manner determined jointly by the department and the department of health and human services. When making funding decisions for new adolescent health centers under this subsection, the department and department of health and human services shall prioritize support for primary health care services in unserved counties as of July 14, 2022. An amount not to exceed 4% of the funds allocated for 2023-2024 under this subsection must be made available for technical support and coordination services from a nonprofit organization exclusively dedicated to serving adolescent health centers in this state and that has a membership that includes federally qualified health centers, local public health departments, hospital systems, and public school districts. As a requirement of being awarded the funds under this subsection as prescribed under this subsection, a nonprofit organization described in this subsection shall make readily available technical support and coordination services to all child and adolescent health centers in this state. **Funds appropriated under this subsection are a work project appropriation and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to continue to improve child and adolescent health center program sites and improve delivery of patient care. The estimated completion date of the work project is September 30, 2025.**

(8) From the state school aid fund money allocated under subsection (1), there is allocated for 2023-2024 an amount not to exceed \$5,150,000.00 for the state portion of the hearing and vision screenings as described in part 93 of the public health code, 1978 PA 368, MCL 333.9301 to 333.9329, and, from the general fund money allocated under subsection (1), there is allocated for 2023-2024 an amount not to exceed \$1,500,000.00 for the state portion of the dental screenings as described in part 93 of the public health code, 1978 PA 368, MCL 333.9301 to 333.9329. A local public health department shall pay at least 50% of the total cost of the screenings. The frequency of the vision screenings must be as required under R 325.13091 to R 325.13096 of the Michigan Administrative Code and the frequency of the hearing screenings must be as required under R 325.3271 to R 325.3276 of the Michigan Administrative Code. Funds must be awarded in a form and manner approved jointly by the department and the department of health and human services. Notwithstanding section 17b, the department shall make payments to eligible entities under this subsection on a schedule determined by the department.

(9) Each district or public school academy receiving funds under this section shall submit to the department by July 15 of each fiscal year a report, in the form and manner prescribed by the department, that includes a brief description of each program conducted or services performed by the district or public school academy using funds under this section, the amount of funds under this section allocated to each of those programs or services, the total number of at-risk pupils served by each of those programs or services, and the data necessary for the department and the department of health and human services to verify matching funds for the temporary assistance for needy families program. In prescribing the form and manner of the report, the department shall ensure that districts are allowed to expend funds received under this section on any activities that are permissible under this section. If a district or public school academy does not comply with this subsection, the department shall withhold an amount equal to the August payment due under this section until the district or public school academy complies with this subsection. If the district or public school academy does not comply with this subsection by the end of the fiscal year, the withheld funds are forfeited to the school aid fund.



(10) ~~In order to~~ **To** receive funds under this section, a district or public school academy must allow access for the department or the department's designee to audit all records related to the program for which it receives those funds. The district or public school academy shall reimburse the state for all disallowances found in the audit.

(11) Subject to subsections (6), (7), ~~and~~ (8), **(19), and (20)**, for schools in which more than 40% of pupils are identified as at-risk, a district or public school academy may use the funds it receives under this section to implement tier 1, evidence-based practices in schoolwide reforms that are guided by the district's comprehensive needs assessment and are included in the district improvement plan. Schoolwide reforms must include parent and community supports, activities, and services, that may include the pathways to potential program created by the department of health and human services or the communities in schools program. As used in this subsection, "tier 1, evidence-based practices" means research based instruction and classroom interventions that are available to all learners and effectively meet the needs of most pupils.

(12) A district or public school academy that receives funds under this section may use those funds to provide research based professional development and to implement a coaching model that supports the multi-tiered system of supports framework. Professional development may be provided to district and school leadership and teachers and must be aligned to professional learning standards; integrated into district, school building, and classroom practices; and solely related to the following:

(a) Implementing the multi-tiered system of supports required in subsection (2) with fidelity and utilizing the data from that system to inform curriculum and instruction.

(b) Implementing section 1280f of the revised school code, MCL 380.1280f, as required under subsection (2), with fidelity.

(13) For 2023-2024 a district or public school academy that receives funds under subsection (3) may use funds received under subsection (3) for support staff providing services to at-risk pupils.

(14) A district or public school academy that receives funds under this section may use up to 10% of the funds received under this section to provide evidence-based instruction for pre-kindergarten instructional and noninstructional services to children who meet at least 1 of the criteria in subsection ~~(18)(a)(i)-(x)~~ **(21)(a)(i) to (x)**.

(15) Except as otherwise provided in this subsection, if necessary, the department shall prorate payments under this section, except payments under subsection (7), ~~or~~ (8), **(19), or (20)**, by reducing the amount of the allocation as otherwise calculated under this section by an equal percentage per district. Subject to the availability of funds, if proration is necessary under this subsection, the department must ensure that no district receives an amount less than 11.5% of the target foundation for each economically disadvantaged pupil enrolled in the district.

(16) If a district is dissolved pursuant to section 12 of the revised school code, MCL 380.12, the intermediate district to which the dissolved district was constituent shall determine the estimated number of pupils that are economically disadvantaged and that are enrolled in each of the other districts within the intermediate district and provide that estimate to the department for the purposes of distributing funds under this section within 60 days after the district is declared dissolved.

(17) A district or public school academy that receives funds under this section may use funds received under this section to provide an anti-bullying or crisis intervention program.

(18) The department shall collaborate with the department of health and human services to prioritize assigning Pathways to Potential success coaches to elementary schools that have a high percentage of pupils in grades K to 3 who are not proficient in English language arts, based upon state assessments for pupils in those grades.

**(19) From the state school aid fund money allocated under subsection (1), there is allocated for 2023-2024 only an amount not to exceed \$35,000,000.00 to support primary health care services provided to children and adolescents up to age 21 and for the provision of space upgrades in child and adolescent health center programs. All of the following apply to this allocation:**

**(a) The funds must be used for only the following purposes:**

**(i) Modernizing antiquated medical equipment.**

**(ii) Improving security and patient safety measures.**

**(iii) Investing in new patient-centered technologies.**

**(iv) Renovating physical spaces to improve patient privacy and the care setting.**

**(b) The funds must be expended in a form and manner determined jointly by the department and the department of health and human services.**

**(c) To be eligible to receive funding under this subsection, a child and adolescent health center program that serves students in the current fiscal year must submit an application in a form and manner determined by the department and the department of health and human services.**

**(d) An amount not to exceed 4% of the funds allocated for 2023-2024 under this subsection must be made available for technical support and coordination services from a nonprofit organization**

exclusively dedicated to serving adolescent health centers in this state and that has a membership that includes federally qualified health centers, local public health departments, hospital systems, and public school districts. As a requirement of being awarded the funds under this subsection as prescribed under this subsection, a nonprofit organization described in this subsection shall make readily available technical support and coordination services to all child and adolescent health centers in this state.

(e) Funds appropriated under this subsection are a work project appropriation and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to continue to improve child and adolescent health center program sites and improve delivery of patient care. The estimated completion date of the work project is September 30, 2025.

(20) From the state school aid fund money appropriated under section 11, there is allocated for 2023-2024 only an amount not to exceed \$10,000,000.00 for an electronic patient data and health care analytic system to be made available to each child and adolescent health center program. The department of health and human services shall collaborate on system implementation with a nonprofit organization exclusively dedicated to serving child and adolescent health center programs in this state and that has a membership that includes federally qualified health centers, local public health departments, hospital systems, and public school districts, including, but not limited to, technology assessment, design, coordination, and system implementation with child and adolescent health center programs.

(21) ~~(19)~~ As used in this section:

(a) "At-risk pupil" means a pupil in grades pre-K to 12 for whom the district has documentation that the pupil meets any of the following criteria:

(i) The pupil is economically disadvantaged.

(ii) The pupil is an English language learner.

(iii) The pupil is chronically absent as defined by and reported to the center.

(iv) The pupil is a victim of child abuse or neglect.

(v) The pupil is a pregnant teenager or teenage parent.

(vi) The pupil has a family history of school failure, incarceration, or substance abuse.

(vii) The pupil is an immigrant who has immigrated within the immediately preceding 3 years.

(viii) The pupil did not complete high school in 4 years and is still continuing in school as identified in the Michigan cohort graduation and dropout report.

(ix) For pupils for whom the results of the state summative assessment have been received, is a pupil who did not achieve proficiency on the English language arts, mathematics, science, or social studies content area assessment.

(x) Is a pupil who is at risk of not meeting the district's or public school academy's core academic curricular objectives in English language arts or mathematics, as demonstrated on local assessments.

(b) "Combined state and local revenue" means the aggregate of the district's state school aid received by or paid on behalf of the district under section 20 and the district's local school operating revenue.

(c) "Combined state and local revenue per membership pupil" means the district's combined state and local revenue divided by the district's membership excluding special education pupils.

(d) "Economically disadvantaged" means a pupil who has been determined eligible for free or reduced-price meals as determined under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j; who is in a household receiving supplemental nutrition assistance program or temporary assistance for needy families assistance; or who is homeless, migrant, or in foster care, as reported to the center.

(e) "English language learner" means limited English proficient pupils who speak a language other than English as their primary language and have difficulty speaking, reading, writing, or understanding English as reported to the center.

(f) "Local school operating revenue" means that term as defined in section 22b.

Sec. 31ff. (1) From the state school aid fund money appropriated in section 11, there is allocated \$14,500,000.00 for 2023-2024 only, and, from the general fund money appropriated in section 11, there is allocated \$500,000.00 for 2023-2024 only, for the implementation of requirements under 2022 PA 180, MCL ~~388.1851-388.1951~~ to ~~399.1957-388.1957~~. The money from the state school aid fund allocated under this section must be distributed to either districts, intermediate districts, or institutions of higher education for the purposes of this section.

(2) From the general fund money allocated under subsection (1), the department may use not more than \$500,000.00 to hire up to 1.0 FTE to help administer the allocation of funds allocated under this section.

(3) The funds allocated under this section for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to continue the coverage of cost associated with the implementation of 2022 PA 180, MCL ~~388.1851 to 399.1957-388.1951~~ to **388.1957**. The estimated completion date of the work project is September 30, 2027.



Sec. 41. (1) For a district to be eligible to receive funding under this section, the district must administer to English language learners the English language proficiency assessment known as the “WIDA ACCESS for English language learners” or the “WIDA Alternate ACCESS”. From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed \$39,766,500.00 for 2023-2024 for payments to eligible districts for services for English language learners who have been administered the WIDA ACCESS for English language learners.

(2) The department shall distribute funding allocated under subsection (1) to eligible districts based on the number of full-time equivalent English language learners as follows:

(a) \$1,476.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 1.0 and 1.9, or less, as applicable to each assessment. It is the intent of the legislature to increase this amount until it reaches 75% of the target foundation allowance.

(b) \$1,019.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 2.0 and 2.9, or less, as applicable to each assessment. It is the intent of the legislature to increase this amount until it reaches 50% of the target foundation allowance.

(c) \$167.00 per full-time equivalent English language learner who has been assessed under the WIDA ACCESS for English language learners or the WIDA Alternate ACCESS with a WIDA ACCESS or WIDA Alternate ACCESS composite score between 3.0 and 3.9, or less, as applicable to each assessment. It is the intent of the legislature to increase this amount until it reaches 35% of the target foundation allowance.

(3) If funds allocated under subsection (1) are insufficient to fully fund the payments as prescribed under subsection (2), the department shall prorate payments on an equal percentage basis, with the same percentage proration applied to all funding categories.

(4) ~~Each~~ **By October 15 of the fiscal year following the receipt of funding under subsection (1), each** district receiving funds under subsection (1) shall submit to the department ~~by July 15 of each fiscal year~~ a report, not to exceed 10 pages, on the usage by the district of funds under subsection (1) in a form and manner determined by the department, including a brief description of each program conducted or services performed by the district using funds under subsection (1) and the amount of funds under subsection (1) allocated to each of those programs or services. ~~If a district does not comply with this subsection, the department shall withhold an amount equal to the August-December payment due under this section until the district complies with this subsection. If the district does not comply with this subsection by the end of the fiscal year, the withheld funds are forfeited to the state school aid fund.~~

(5) In order to receive funds under subsection (1), a district must allow access for the department or the department’s designee to audit all records related to the program for which it receives those funds. The district shall reimburse this state for all disallowances found in the audit.

(6) Beginning July 1, 2020, and every 3 years thereafter, the department shall review the per-pupil distribution under subsection (2), to ensure that funding levels are appropriate and make recommendations for adjustments to the members of the senate and house subcommittees on K to 12 school aid appropriations.

Sec. 51a. (1) From the state school aid fund money in section 11, there is allocated an amount not to exceed ~~\$1,573,296,100.00~~ **\$1,593,296,100.00** for 2022-2023 and there is allocated an amount not to exceed \$1,694,646,100.00 for 2023-2024 from state sources and all available federal funding under sections 1411 to 1419 of part B of the individuals with disabilities education act, 20 USC 1411 to 1419, estimated at \$390,000,000.00 for 2022-2023 and \$390,000,000.00 for 2023-2024, plus any carryover federal funds from previous year appropriations. In addition, from the state school aid fund money in section 11, there is allocated an amount not to exceed \$76,150,000.00 for 2023-2024 only to supplement the allocations in this section. The allocations under this subsection are for the purpose of reimbursing districts and intermediate districts for special education programs, services, and special education personnel as prescribed in article 3 of the revised school code, MCL 380.1701 to 380.1761; net tuition payments made by intermediate districts to the Michigan Schools for the Deaf and Blind; and special education programs and services for pupils who are eligible for special education programs and services according to statute or rule. For meeting the costs of special education programs and services not reimbursed under this article, a district or intermediate district may use money in general funds or special education funds, not otherwise restricted, or contributions from districts to intermediate districts, tuition payments, gifts and contributions from individuals or other entities, or federal funds that may be available for this purpose, as determined by the intermediate district plan prepared under article 3 of the revised school code, MCL 380.1701 to 380.1761. Notwithstanding section 17b, the department shall make payments of federal funds to districts, intermediate districts, and other eligible entities under this section on a schedule determined by the department.

(2) From the funds allocated under subsection (1), there is allocated the amount necessary, estimated at ~~\$350,400,000.00~~ **\$357,400,000.00** for 2022-2023 and estimated at \$368,000,000.00 for 2023-2024, for

payments toward reimbursing districts and intermediate districts for 28.6138% of total approved costs of special education, excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Allocations under this subsection are made as follows:

(a) For 2022-2023, the department shall calculate the initial amount allocated to a district under this subsection toward fulfilling the specified percentages by multiplying the district's special education pupil membership, excluding pupils described in subsection (11), times 25% of the foundation allowance under section 20 of the pupil's district of residence, plus 25% of the amount of the district's per-pupil allocation under section 20m, not to exceed 25% of the target foundation allowance for the current fiscal year, or, for a special education pupil in membership in a district that is a public school academy, times an amount equal to 25% of the amount per membership pupil calculated under section 20(6). For an intermediate district, the amount allocated under this subdivision toward fulfilling the specified percentages is an amount per special education membership pupil, excluding pupils described in subsection (11), and is calculated in the same manner as for a district, using 25% of the foundation allowance under section 20 of the pupil's district of residence, not to exceed 25% of the target foundation allowance for the current fiscal year, and that district's per-pupil allocation under section 20m.

(b) For 2022-2023, after the allocation under subdivision (a), the department shall pay a district or intermediate district for which the payments calculated under subdivision (a) do not fulfill the specified percentages the amount necessary to achieve the specified percentages for the district or intermediate district.

(c) Beginning in 2023-2024, subdivisions (a) and (b) no longer apply.

(3) From the funds allocated under subsection (1), there is allocated for 2022-2023 an amount not to exceed \$1,000,000.00 and there is allocated for 2023-2024 an amount not to exceed \$1,000,000.00 to make payments to districts and intermediate districts under this subsection. If the amount allocated to a district or intermediate district for the fiscal year under subsection (2) is less than the sum of the amounts allocated to the district or intermediate district for 1996-97 under sections 52 and 58, there is allocated to the district or intermediate district for the fiscal year an amount equal to that difference, adjusted by applying the same proration factor that was used in the distribution of funds under section 52 in 1996-97 as adjusted to the district's or intermediate district's necessary costs of special education used in calculations for the fiscal year. This adjustment is to reflect reductions in special education program operations or services between 1996-97 and subsequent fiscal years. The department shall make adjustments for reductions in special education program operations or services in a manner determined by the department and shall include adjustments for program or service shifts.

(4) If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2) is not sufficient to fulfill the specified percentages in subsection (2), ~~then~~ the department shall pay the shortfall to the district or intermediate district during the fiscal year beginning on the October 1 following the determination and shall adjust payments under subsection (3) as necessary. If the department determines that the sum of the amounts allocated for a fiscal year to a district or intermediate district under subsection (2) exceeds the sum of the amount necessary to fulfill the specified percentages in subsection (2), ~~then~~ the department shall deduct the amount of the excess from the district's or intermediate district's payments under this article for the fiscal year beginning on the October 1 following the determination and shall adjust payments under subsection (3) as necessary. For 2022-2023, if the amount allocated under subsection (2)(a) in itself exceeds the amount necessary to fulfill the specified percentages in subsection (2), there is no deduction under this subsection.

(5) State funds are allocated on a total approved cost basis. Federal funds are allocated under applicable federal requirements.

(6) From the amount allocated in subsection (1), there is allocated an amount not to exceed \$2,200,000.00 for 2022-2023 and there is allocated an amount not to exceed \$2,200,000.00 for 2023-2024 to reimburse 100% of the net increase in necessary costs incurred by a district or intermediate district in implementing the revisions in the administrative rules for special education that became effective on July 1, 1987. As used in this subsection, "net increase in necessary costs" means the necessary additional costs incurred solely because of new or revised requirements in the administrative rules minus cost savings permitted in implementing the revised rules. The department shall determine net increase in necessary costs in a manner specified by the department.

(7) For purposes of this section and sections 51b to 58, all of the following apply:

(a) "Total approved costs of special education" are determined in a manner specified by the department and may include indirect costs, but must not exceed 115% of approved direct costs for section 52 and section 53a programs. The total approved costs include salary and other compensation for all approved special education personnel for the program, including payments for Social Security and Medicare and public school employee retirement system contributions. The total approved costs do not include salaries or other compensation paid to administrative personnel who are not special education personnel as that term is

defined in section 6 of the revised school code, MCL 380.6. Costs reimbursed by federal funds, other than those federal funds included in the allocation made under this article, are not included. Special education approved personnel not utilized full time in the evaluation of students or in the delivery of special education programs, ancillary, and other related services are reimbursed under this section only for that portion of time actually spent providing these programs and services, with the exception of special education programs and services provided to youth placed in child caring institutions or juvenile detention programs approved by the department to provide an on-grounds education program.

(b) A district or intermediate district that employed special education support services staff to provide special education support services in 2003-2004 or in a subsequent fiscal year and that in a fiscal year after 2003-2004 receives the same type of support services from another district or intermediate district shall report the cost of those support services for special education reimbursement purposes under this article. This subdivision does not prohibit the transfer of special education classroom teachers and special education classroom aides if the pupils counted in membership associated with those special education classroom teachers and special education classroom aides are transferred and counted in membership in the other district or intermediate district in conjunction with the transfer of those teachers and aides.

(c) If the department determines before bookclosing for a fiscal year that the amounts allocated for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 will exceed expenditures for that fiscal year under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56, then for a district or intermediate district whose reimbursement for that fiscal year would otherwise be affected by subdivision (b), subdivision (b) does not apply to the calculation of the reimbursement for that district or intermediate district and the department shall calculate reimbursement for that district or intermediate district in the same manner as it was for 2003-2004. If the amount of the excess allocations under subsections (2), (3), (6), and (11) and sections 53a, 54, and 56 is not sufficient to fully fund the calculation of reimbursement to those districts and intermediate districts under this subdivision, then the department shall prorate calculations and resulting reimbursement under this subdivision on an equal percentage basis. The amount of reimbursement under this subdivision for a fiscal year must not exceed \$2,000,000.00 for any district or intermediate district.

(d) Reimbursement for ancillary and other related services, as that term is defined by R 340.1701c of the Michigan Administrative Code, is not provided when those services are covered by and available through private group health insurance carriers or federal reimbursed program sources unless the department and district or intermediate district agree otherwise and that agreement is approved by the state budget director. Expenses, other than the incidental expense of filing, must not be borne by the parent. In addition, the filing of claims must not delay the education of a pupil. A district or intermediate district is responsible for payment of a deductible amount and for an advance payment required until the time a claim is paid.

(e) If an intermediate district purchases a special education pupil transportation service from a constituent district that was previously purchased from a private entity; if the purchase from the constituent district is at a lower cost, adjusted for changes in fuel costs; and if the cost shift from the intermediate district to the constituent does not result in any net change in the revenue the constituent district receives from payments under sections 22b and 51c, then upon application by the intermediate district, the department shall direct the intermediate district to continue to report the cost associated with the specific identified special education pupil transportation service and shall adjust the costs reported by the constituent district to remove the cost associated with that specific service.

(8) A pupil who is enrolled in a full-time special education program conducted or administered by an intermediate district or a pupil who is enrolled in the Michigan Schools for the Deaf and Blind is not included in the membership count of a district, but is counted in membership in the intermediate district of residence.

(9) Special education personnel transferred from 1 district to another to implement the revised school code are entitled to the rights, benefits, and tenure to which the individual would otherwise be entitled had that individual been employed by the receiving district originally.

(10) If a district or intermediate district uses money received under this section for a purpose other than the purpose or purposes for which the money is allocated, the department may require the district or intermediate district to refund the amount of money received. The department shall deposit money that is refunded in the state treasury to the credit of the state school aid fund.

(11) From the funds allocated in subsection (1), there is allocated the amount necessary, estimated at \$2,000,000.00 for 2022-2023 and estimated at \$2,000,000.00 for 2023-2024, to pay the foundation allowances for pupils described in this subsection. The department shall calculate the allocation to a district under this subsection by multiplying the number of pupils described in this subsection who are counted in membership in the district times the sum of the foundation allowance under section 20 of the pupil's district of residence, plus the amount of the district's per-pupil allocation under section 20m, not to exceed the target foundation allowance for the current fiscal year, or, for a pupil described in this subsection who is counted in membership in a district that is a public school academy, times an amount equal to the amount per

membership pupil under section 20(6). The department shall calculate the allocation to an intermediate district under this subsection in the same manner as for a district, using the foundation allowance under section 20 of the pupil's district of residence not to exceed the target foundation allowance for the current fiscal year and that district's per-pupil allocation under section 20m. This subsection applies to all of the following pupils:

(a) Pupils described in section 53a.

(b) Pupils counted in membership in an intermediate district who are not special education pupils and are served by the intermediate district in a juvenile detention or child caring facility.

(c) Pupils with an emotional impairment counted in membership by an intermediate district and provided educational services by the department of health and human services.

(12) If it is determined that funds allocated under subsection (2) or (11) or under section 51c will not be expended, funds up to the amount necessary and available may be used to supplement the allocations under subsection (2) or (11) or under section 51c in order to fully fund those allocations. After payments under subsections (2) and (11) and section 51c, the department shall expend the remaining funds from the allocation in subsection (1) in the following order:

(a) One hundred percent of the reimbursement required under section 53a.

(b) One hundred percent of the reimbursement required under subsection (6).

(c) One hundred percent of the payment required under section 54.

(d) One hundred percent of the payment required under subsection (3).

(e) One hundred percent of the payments under section 56.

(13) The allocations under subsections (2), (3), and (11) are allocations to intermediate districts only and are not allocations to districts, but instead are calculations used only to determine the state payments under section 22b.

(14) If a public school academy that is not a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, enrolls under this section a pupil who resides outside of the intermediate district in which the public school academy is located and who is eligible for special education programs and services according to statute or rule, or who is a child with a disability, as that term is defined under the individuals with disabilities education act, Public Law 108-446, the intermediate district in which the public school academy is located and the public school academy shall enter into a written agreement with the intermediate district in which the pupil resides for the purpose of providing the pupil with a free appropriate public education, and the written agreement must include at least an agreement on the responsibility for the payment of the added costs of special education programs and services for the pupil. If the public school academy that enrolls the pupil does not enter into an agreement under this subsection, the public school academy shall not charge the pupil's resident intermediate district or the intermediate district in which the public school academy is located the added costs of special education programs and services for the pupil, and the public school academy is not eligible for any payouts based on the funding formula outlined in the resident or nonresident intermediate district's plan. If a pupil is not enrolled in a public school academy under this subsection, the provision of special education programs and services and the payment of the added costs of special education programs and services for a pupil described in this subsection are the responsibility of the district and intermediate district in which the pupil resides.

(15) For the purpose of receiving its federal allocation under part B of the individuals with disabilities education act, Public Law 108-446, a public school academy that is a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a, directly receives the federal allocation under part B of the individuals with disabilities education act, Public Law 108-446, from the intermediate district in which the cyber school is located, as the subrecipient. If the intermediate district does not distribute the funds described in this subsection to the cyber school by the part B application due date of July 1, the department may distribute the funds described in this subsection directly to the cyber school according to the formula prescribed in 34 CFR 300.705 and 34 CFR 300.816. Beginning July 1, 2021, this subsection is subject to section 8c. It is the intent of the legislature that the immediately preceding sentence apply retroactively and is effective July 1, 2021.

(16) For a public school academy that is a cyber school, as that term is defined in section 551 of the revised school code, MCL 380.551, and is in compliance with section 553a of the revised school code, MCL 380.553a, that enrolls a pupil under this section, the intermediate district in which the cyber school is located shall ensure that the cyber school complies with sections 1701a, 1703, 1704, 1751, 1752, 1756, and 1757 of the revised school code, MCL 380.1701a, 380.1703, 380.1704, 380.1751, 380.1752, 380.1756, and 380.1757; applicable rules; and the individuals with disabilities education act, Public Law 108-446. Beginning July 1, 2021, this subsection is subject to section 8c. It is the intent of the legislature that the immediately preceding sentence apply retroactively and is effective July 1, 2021.

(17) For the purposes of this section, the department or the center shall only require a district or intermediate district to report information that is not already available from the financial information database maintained by the center.

Sec. 51c. As required by the court in the consolidated cases known as *Durant v State of Michigan*, 456 Mich 175 (1997), from the allocation under section 51a(1), there is allocated for 2022-2023 and for 2023-2024, the amount necessary, estimated at ~~\$780,400,000.00~~ **\$793,400,000.00** for 2022-2023 and \$820,000,000.00 for 2023-2024, for payments to reimburse districts for 28.6138% of total approved costs of special education excluding costs reimbursed under section 53a, and 70.4165% of total approved costs of special education transportation. Funds allocated under this section that are not expended in the fiscal year for which they were allocated, as determined by the department, may be used to supplement the allocations under sections 22a and 22b to fully fund those allocations for the same fiscal year.

Sec. 61l. (1) From the state school aid fund money appropriated in section 11, \$1,200,000.00 is allocated for 2023-2024 only to Schoolcraft College to expand its early middle college program ~~-, SC Edge and support dual enrollment opportunities for select schools.~~

(2) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 61s. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only an amount not to exceed \$4,000,000.00 to Eaton RESA to support the efforts of FFA. The money under this section may be used for capital improvements and equipment, the credentialing and updating of Perkins 5, and for general agriculture education and current structures of FFA. **Eaton RESA may retain for administrative services an amount not to exceed 5% of the grant amount.**

(2) The funds allocated under this section for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to support the purposes of this section. The estimated completion date of the work project is September 30, 2027.

(3) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 61u. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only an amount not to exceed ~~\$1,000,000.00~~ **\$1,600,000.00** to Romulus Community Schools to support the construction of a career technical education center.

(2) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 94a. (1) There is created within the state budget office in the department of technology, management, and budget the center for educational performance and information. The center shall do all of the following:

(a) Coordinate the collection of all data required by state and federal law from districts, intermediate districts, and postsecondary institutions.

(b) Create, maintain, and enhance this state's P-20 longitudinal data system and ensure that it meets the requirements of subsection (4).

(c) Collect data in the most efficient manner possible ~~in order~~ to reduce the administrative burden on reporting entities, including, but not limited to, electronic transcript services.

(d) Create, maintain, and enhance this state's web-based educational portal to provide information to school leaders, teachers, researchers, and the public in compliance with all federal and state privacy laws. Data must include, but are not limited to, all of the following:

(i) Data sets that link teachers to student information, allowing districts to assess individual teacher impact on student performance and consider student growth factors in teacher and principal evaluation systems.

(ii) Data access or, if practical, data sets, provided for regional data hubs that, in combination with local data, can improve teaching and learning in the classroom.

(iii) Research-ready data sets for researchers to perform research that advances this state's educational performance.

(e) Provide data in a useful manner to allow state and local policymakers to make informed policy decisions.

(f) Provide public reports to the residents of this state to allow them to assess allocation of resources and the return on their investment in the education system of this state.

(g) Other functions as assigned by the state budget director.

(2) Each state department, officer, or agency that collects information from districts, intermediate districts, or postsecondary institutions as required under state or federal law shall make arrangements with the center to ensure that the state department, officer, or agency is in compliance with subsection (1). This subsection does not apply to information collected by the department of treasury under the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a; the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821; the school bond qualification, approval, and loan act, 2005 PA 92, MCL 388.1921 to 388.1939; or section 1351a of the revised school code, MCL 380.1351a.

(3) The center may enter into any interlocal agreements necessary to fulfill its functions.

(4) The center shall ensure that the P-20 longitudinal data system required under subsection (1)(b) meets all of the following:

(a) Includes data at the individual student level from preschool through postsecondary education and into the workforce.

(b) Supports interoperability by using standard data structures, data formats, and data definitions to ensure linkage and connectivity in a manner that facilitates the exchange of data among agencies and institutions within the state and between states.

(c) Enables the matching of individual teacher and student records so that an individual student may be matched with those teachers providing instruction to that student.

(d) Enables the matching of individual teachers with information about their certification and the institutions that prepared and recommended those teachers for state certification.

(e) Enables data to be easily generated for continuous improvement and decision-making, including timely reporting to parents, teachers, and school leaders on student achievement.

(f) Ensures the reasonable quality, validity, and reliability of data contained in the system.

(g) Provides this state with the ability to meet federal and state reporting requirements.

(h) For data elements related to preschool through grade 12 and postsecondary, meets all of the following:

(i) Contains a unique statewide student identifier that does not permit a student to be individually identified by users of the system, except as allowed by federal and state law.

(ii) Contains student-level enrollment, demographic, and program participation information, including data associated with students who have been identified as having an affiliation to 1 or more federally recognized Indian tribes and student participation in federal programs funded under 20 USC 7401 to 7546 and participation in federal programs funded under the Johnson-O'Malley Supplemental Indian Education Program Modernization Act, Public Law 115-404.

(iii) Contains student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete education programs.

(iv) Has the capacity to communicate with higher education data systems.

(i) For data elements related to preschool through grade 12 only, meets all of the following:

(i) Contains yearly test records of individual students for assessments approved by DED-OESE for accountability purposes under section 1111(b) of the elementary and secondary education act of 1965, 20 USC 6311, including information on individual students not tested, by grade and subject.

(ii) Contains student-level transcript information, including information on courses completed and grades earned.

(iii) Contains student-level college readiness test scores.

(j) For data elements related to postsecondary education only:

(i) Contains data that provide information regarding the extent to which individual students transition successfully from secondary school to postsecondary education, including, but not limited to, all of the following:

(A) Enrollment in remedial coursework.

(B) Completion of 1 year's worth of college credit applicable to a degree within 2 years of enrollment.

(ii) Contains data that provide other information determined necessary to address alignment and adequate preparation for success in postsecondary education.

(5) From the general fund money appropriated in section 11, there is allocated an amount not to exceed \$18,988,600.00 for 2023-2024 to the department of technology, management, and budget to support the operations of the center. In addition, from the federal funds appropriated in section 11, there is allocated for 2023-2024 the amount necessary, estimated at ~~\$193,500.00~~, **\$4,193,500.00**, to support the operations of the center and to establish a P-20 longitudinal data system necessary for state and federal reporting purposes. The center shall cooperate with the department to ensure that this state is in compliance with federal law and is maximizing opportunities for increased federal funding to improve education in this state.

(6) From the funds allocated in subsection (5), the center may use an amount determined by the center for competitive grants for 2023-2024 to support collaborative efforts on the P-20 longitudinal data system. All of the following apply to grants awarded under this subsection:

(a) The center shall award competitive grants to eligible intermediate districts or a consortium of intermediate districts based on criteria established by the center.

(b) Activities funded under the grant must support the P-20 longitudinal data system portal and may include portal hosting, hardware and software acquisition, maintenance, enhancements, user support and related materials, and professional learning tools and activities aimed at improving the utility of the P-20 longitudinal data system.

(c) An applicant that received a grant under this subsection for the immediately preceding fiscal year has priority for funding under this section. However, after 3 fiscal years of continuous funding, an applicant is required to compete openly with new applicants.



(7) Funds allocated under this section that are not expended in the fiscal year in which they were allocated may be carried forward to a subsequent fiscal year and are appropriated for the purposes for which the funds were originally allocated.

(8) The center may bill departments as necessary in order to fulfill reporting requirements of state and federal law. The center may also enter into agreements to supply custom data, analysis, and reporting to other principal executive departments, state agencies, local units of government, and other individuals and organizations. The center may receive and expend funds in addition to those authorized in subsection (5) to cover the costs associated with salaries, benefits, supplies, materials, and equipment necessary to provide such data, analysis, and reporting services.

(9) As used in this section, "DED-OESE" means the United States Department of Education Office of Elementary and Secondary Education.

Sec. 95b. (1) From the general fund money appropriated under section 11, there is allocated an amount not to exceed \$2,000,000.00 for 2023-2024 only for the model value-added growth and projection analytics system. The department shall continue the model value-added growth and projection analytics system and incorporate that model into its reporting requirements under the every student succeeds act, Public Law 114-95. The model described in this subsection must do at least all of the following:

- (a) Utilize existing assessments and any future assessments that are suitable for measuring student growth.
- (b) Report student growth measures at the district, school, teacher, and subgroup levels.
- (c) Recognize the growth of tested students, including those who may have missing assessment data.
- (d) Include all available prior standardized assessment data that meet inclusion criteria across grades, subjects, and state and local assessments.
- (e) Allow student growth results to be disaggregated.
- (f) Provide individual student projections showing the probability of a student reaching specific performance levels on future assessments. Given school closures and extended cancellations related to COVID-19, the data under this subdivision may be used to inform decisions about student placement or students that could benefit from additional supports or interventions.
- (g) Demonstrate any prior success with this state's assessments through the Michigan council of educator effectiveness teacher evaluation pilot.

(h) Demonstrate prior statewide implementation in at least 2 other states for at least 10 years.

(i) Have a native roster verification system built into the value-added reporting platform that has been implemented statewide in at least 2 other states.

(j) Have a "help/contact us" ticketing system built into the value-added reporting platform.

(k) Given school closures that have occurred pursuant to an executive order issued by the governor, the value-added reporting platform must provide continued hosting and delivery of reporting and offer the department additional supports in the areas of research, analysis, web reporting, and training.

(l) The department and the platform vendor shall provide statewide training for educators to understand the reporting that details the impact to student learning and growth.

(2) The department shall provide internet-based electronic student growth and projection reporting based on the model under subsection (1) to educators at the school, district, and state levels. The model must include role-based permissions that allow educators to access information about the performance of the students within their immediate responsibility in accordance with applicable privacy laws.

(3) The model under subsection (1) must not be a mandatory part of teacher evaluation or educator pay-for-performance systems.

(4) The model under subsection (1) must be a model that received funding under this section in 2018-2019.

(5) By March 31 of each fiscal year for which funding is allocated under this section, the department shall work with the center to make data publicly available on an external website that provides student growth metrics provided by the value-added reporting platform at the district and school level by grade and subject.

~~(6) Before funds allocated under subsection (1) are paid to the platform vendor, the~~ The platform vendor must complete a system security plan, as determined by the department in collaboration with the department of technology, management, and budget.

Sec. 97e. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only an amount not to exceed \$2,000,000.00 to Wayne RESA for **the operation** of the school safety and mental health commission. ~~created under this section in 2022-2023.~~

(2) The commission must consist of all of the following members who must be appointed by the governor as follows:

(a) One member from a list of 3 or more names submitted by the minority leader of the house of representatives who has experience in school mental health.

(b) One member from a list of 3 or more names submitted by the speaker of the house of representatives who has a background in law enforcement.

(c) One member from a list of 3 or more names submitted by the speaker of the house of representatives who is a parent.

(d) One member from a list of 3 or more names submitted by the senate minority leader who is a school psychologist or psychiatrist.

(e) One member from a list of 3 or more names submitted by the senate majority leader who is a prosecutor.

(f) One member from a list of 3 or more names submitted by the senate majority leader who is a teacher.

(g) One member who has a background in school administration.

(h) One member who has experience in school-threat assessments.

(i) One member who has experience in the provision of inpatient treatment to children under age 18.

(3) The director of the department of health and human services or the director's designee may be a member of the commission. In addition, the following department heads or their designees that are from within their respective departments or agencies may be nonvoting, ex officio members of the commission:

(a) The director of the department of state police.

(b) The superintendent of public instruction.

(4) The governor shall appoint 5 of the first members to 2-year terms and 4 of the first members to 4-year terms. After the first appointments, the term of a member of the commission is 4 years or until a successor is appointed under subsection ~~(3)-(2)~~, whichever is later.

(5) If a vacancy occurs on the commission, an individual must be appointed in the same manner as prescribed under subsection ~~(3)-(2)~~ to fill the vacancy for the balance of the term.

(6) The governor may remove a member of the commission for incompetence, dereliction of duty, malfeasance, or nonfeasance in office, or any other good cause.

(7) The commission shall meet at least quarterly.

(8) A majority of the members of the commission constitutes a quorum for transacting business. A vote of the majority of the members of the commission serving is required for any action of the commission.

(9) The commission shall conduct its business in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(10) A writing that is prepared, owned, used, possessed, or retained by the commission in performing an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(11) A member of the commission is not entitled to compensation for service on the commission, but the commission may reimburse a member for actual and necessary expenses incurred in serving.

(12) The commission may do all of the following:

(a) Collaborate to provide recommendations to reduce youth suicides and strengthen the mental health of school-aged children, adolescents, and their families through a comprehensive, statewide approach.

(b) Seek input from educational professionals, mental health professionals, and organizations from across this state to suggest approaches to identify and support students at risk of behavioral health issues.

(c) Collaborate with the Michigan suicide prevention commission on recommendations regarding youth suicide.

(d) Create and maintain an online community through which best practices and resources can be shared, and convene symposiums with other relevant commissions, organizations, and professionals.

(e) Convey recommendations to the department of licensing and regulatory affairs and the bureau of construction codes within the department of licensing and regulatory affairs concerning building construction that is consistent with school safety needs.

(13) The commission may hire an executive director and staff.

(14) As used in this section, "commission" means the school safety and mental health commission created in subsection (2).

Sec. 97g. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only, \$9,000,000.00 to an intermediate district with K to 12 pupil membership between 37,500 and 42,500, as reported in the 2021-2022 MI School Data Student Enrollment Counts Report school year final student count, to establish and operate a statewide Security Operations Center (SOC) in partnership with a statewide educational organization. The SOC will provide a Managed Detection and Response (MDR) solution, including SOC staff, to monitor and assist in responding to threats and attacks on critical technology infrastructure for districts and intermediate districts.

(2) The intermediate district receiving funds under this section shall contract with a nonprofit educational organization that maintains a statewide educational technology collaborative to establish the statewide SOC. This statewide SOC will operate under the guidance of an advisory board, comprising educational technology leaders, with regional statewide representation. Other K to 12 stakeholders may be invited to participate in the advisory.

(3) The nonprofit educational organization that the intermediate district contracted with in subsection (2) shall use the funds to do all of the following:

(a) Establish a statewide advisory.

(b) Establish a statewide SOC security team.



- (c) Establish statewide MDR service.
- (d) Train district technology staff in the deployment and use of MDR software and services.
- (e) Purchase and distribute MDR licensing to districts and intermediate districts for installation on critical technology infrastructure.
- (f) Train, monitor, and track district utilization of a toolkit to be identified by the SOC such as MISecure Quick Self-Assessment.
- (g) Not later than January 1, 2025 and each subsequent fiscal year, prepare a summary report that includes measurable outcomes including participation, detection, prevention, and response to cybersecurity incidents in order to evaluate the effectiveness of the project. The report must be submitted to the house and senate appropriations subcommittees on school aid and to the house and senate fiscal agencies.
- (4) After the nonprofit educational organization that the intermediate district contracted with in subsection (2) uses funds as required under subsection (3), the nonprofit educational organization may use any remaining funds to do any of the following:
  - (a) Supply additional cybersecurity services as technologies evolve and budget allows.
  - (b) Partner with K to 12 statewide connectivity partners to install and monitor intrusion detection systems.
  - (5) Districts receiving software and service under this project shall do both of the following:
    - (a) Complete the assessment identified in subsection (3)(f) annually.
    - (b) Install and maintain statewide SOC MDR software on critical infrastructure as described in this section, provide access to the software to the statewide SOC, and coordinate responses with the statewide SOC and the district's intermediate district.
  - (6) For districts that have MDR solutions in place as of October 1, 2023, a licensing cost allocation equal to the cost of the statewide SOC provided license may be provided until the end of the local contract or the end of the funding period, whichever comes first. Funds allocated under this subsection must be used to offset local MDR costs, cybersecurity assessment, or further cybersecurity investment.
  - (7) The funds allocated under this section for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward and may be expended in subsequent years until the end of the 2027-2028 state fiscal year. The purpose of the work project is to increase stable and reliable cybersecurity in districts and intermediate districts. The estimated completion date of the work project is September 30, 2028.
  - (8) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.**
- Sec. 97k. (1) From the state school aid fund money appropriated in section 11, there is allocated \$100,000.00 for 2023-2024 only to ~~a district~~ **Washtenaw Intermediate School District** to utilize on the Student Advocacy Center of Michigan to support its statewide helpline for families in educational crisis.
- (2) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.
- Sec. 99d. (1) From the state school aid fund money appropriated in section 11, there is allocated \$6,000,000.00 for 2023-2024 only to districts to do both of the following:
  - (a) Develop and implement plans for professional learning concerning the teaching of the fullness of American history, including, but not limited to, the teaching of the history of communities of color and other marginalized communities, the teaching of local history, and the teaching of cultural competency.
  - (b) Purchase books and other educational resources for educators and students to support the goal of teaching every middle school and high school student American history that reflects the diversity of this state, including, but not limited to, the teaching of the history of communities of color and other marginalized communities.
  - (2) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.**
  - (3) The funds allocated under this section for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to provide for teaching of diverse American history. The estimated completion date of the work project is September 30, 2025.**
- Sec. 99m. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only an amount not to exceed \$450,000.00 to Shiawassee Regional ESD to support the construction of a career technical education center **or pupil transportation services** for students enrolled in the constituent districts.
- (2) As used in this section, "constituent district" means that term as defined in section 3 of the revised school code, MCL 380.3.
- (3) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 99n. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only an amount not to exceed \$6,000,000.00 to ~~Ingham County Intermediate~~ **Lansing Public School District** to support the construction **or facility improvements** of a career technical education center, ~~for students enrolled in the constituent districts.~~

(2) As used in this section, “constituent district” means that term as defined in section 3 of the revised school code, MCL 380.3.

(3) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 99ii. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only \$250,000.00 to Wayne-Westland Community School District for the purposes under this section.

(2) Wayne-Westland Community School District shall establish a pilot grant program for K to 12 eligible students to attend driver’s training programs. The department shall establish and provide to Wayne-Westland Community School District guidelines concerning the pilot grant program described in this section.

(3) Wayne-Westland Community School District shall issue a report to the department, on an annual basis, that provides the number of students eligible for a grant under this section, how many students have attended and successfully completed a driver’s training program described in this section, and the average cost, per student, of participation in a driver’s training program described in this section.

(4) The department shall create a report that summarizes the success of the program established under subsection (2) and publish that report on its public website.

(5) The funds allocated under this section for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to support the pilot program described in this section for the provision of grants to students to attend driver’s training programs. The estimated completion date of the work project is September 30, 2026.

(6) As used in this section, “eligible student” means a student to whom both of the following apply:

(a) ~~Lives in a household that has an income at or below 180% of the federal poverty guidelines. As used in this subdivision, “federal poverty guidelines” means that term as used in section 32d.~~ **The student qualifies for free and reduced lunch in the Wayne-Westland Community School District or in a district contiguous to the Wayne-Westland Community School District in alignment with federal law and regulations and state law.**

(b) ~~The student is~~ enrolled in either of the following districts:

(i) Wayne-Westland Community School District.

(ii) A district contiguous to Wayne-Westland Community School District.

(7) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 99jj. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only \$250,000.00 to Dearborn City School District in partnership with the Amity Foundation for the purposes under this section.

(2) Dearborn City School District shall establish a pilot grant program for K to 12 eligible students to attend driver’s training programs. ~~The department shall establish and provide to Dearborn City School District guidelines concerning the pilot grant program described in this section.~~

(3) Dearborn City School District shall issue a report to the department, on an annual basis, that provides the number of students eligible for a grant under this section, how many students have attended and successfully completed a driver’s training program described in this section, and the average cost, per student, of participation in a driver’s training program described in this section.

(4) The department shall create a report that summarizes the success of the program established under subsection (2) and publish that report on its public website.

(5) The funds allocated under this section for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to support the pilot program described in this section for the provision of grants to students to attend driver’s training programs. The estimated completion date of the work project is September 30, 2026.

(6) As used in this section, “eligible student” means a student to whom both of the following apply:

(a) ~~Lives in a household that has an income at or below 180% of the federal poverty guidelines. As used in this subdivision, “federal poverty guidelines” means that term as used in section 32d.~~ **The student qualifies for free and reduced lunch in the Dearborn City School District or in a contiguous district to the Dearborn City School District in alignment with federal law and regulations and state law.**

(b) ~~The student is~~ enrolled in either of the following districts:

(i) Dearborn City School District.

(ii) A district contiguous to Dearborn City School District.

(7) Notwithstanding section 17b, the department shall make payments under this section on a schedule determined by the department.

Sec. 107a. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only an amount not to exceed \$15,000,000.00 to the department of labor and economic opportunity to create **authorized postsecondary** adult education innovation programs. **The programs must be administered by the department of labor and economic opportunity in partnership with a Michigan nonprofit organization that operates in a city with a population between 195,000 and 200,000 in a county that has a population between 650,000 and 660,000.** Programs funded under this section are intended to improve enrollment in and completion of adult basic education programs, including, but not limited to, synchronous and asynchronous program delivery methods, wraparound support, alignment between high school completion with postsecondary education, co-locating adult education with Michigan Works! or community colleges, and high-quality professional development.

(2) The department of labor and economic opportunity must award competitive funds under this section to eligible adult education providers, community colleges, and organizations with experience serving adult learners for the purposes described in subsection (1).

(3) Adult education providers must apply for funding in a form and manner determined by the department of labor and economic opportunity. Adult education providers that are not a district, intermediate district, or community college must identify in their application a partnership with a district, intermediate district, or community college to serve as a fiscal agent for funds received under this section.

(4) In a form and manner determined by the department of labor and economic opportunity, for pilot programs funded under this section, each adult education provider must perform a program evaluation, facilitation of communities of practice, and identification of best practices to scale pilot programs statewide. Adult education providers may use up to 5% of the funds received for these purposes.

(5) By not later than September 30 of each fiscal year **in which** funds allocated under subsection (1) are spent by adult education providers, the department of labor and economic opportunity must provide a report to the chairs of the house and senate appropriations subcommittees on school aid, to the house and senate fiscal agencies, and to the state budget director indicating how funds received under this section are being spent, and detailing the amounts spent, the services being provided with the funding, adult learners being reached with the funding, outcomes metrics, and recommendations for how programs could be scaled statewide.

(6) The funds allocated under this section for 2023-2024 are a work project appropriation, and any unexpended funds for 2023-2024 are carried forward into 2024-2025. The purpose of the work project is to improve enrollment in and completion of adult basic education programs. The estimated completion date of the work project is September 30, 2026.

Sec. 147a. (1) From the state school aid fund money appropriated in section 11, there is allocated for 2022-2023 an amount not to exceed \$100,000,000.00 and for 2023-2024 an amount not to exceed \$100,000,000.00 for payments to participating districts. A participating district that receives money under this subsection shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the district for the fiscal year in which it is received. The amount allocated to each participating district under this subsection is based on each participating district's percentage of the total statewide payroll for all participating districts for the immediately preceding fiscal year. As used in this subsection, "participating district" means a district that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(2) In addition to the allocation under subsection (1), from the state school aid fund money appropriated under section 11, there is allocated an amount not to exceed \$193,935,000.00 for 2022-2023 and an amount not to exceed \$359,950,000.00 for 2023-2024 for payments to participating districts and intermediate districts and from the general fund money appropriated under section 11, there is allocated an amount not to exceed \$65,000.00 for 2022-2023 and an amount not to exceed \$100,000.00 for 2023-2024 for payments to participating district libraries. The amount allocated to each participating entity under this subsection is based on each participating entity's reported quarterly payroll for members that became tier 1 prior to February 1, 2018 for the current fiscal year. A participating entity that receives money under this subsection shall use that money solely for the purpose of offsetting a portion of the normal cost contribution rate. As used in this subsection:

(a) "District library" means a district library established under the district library establishment act, 1989 PA 24, MCL 397.171 to 397.196.

(b) "Participating entity" means a district, intermediate district, or district library that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(3) In addition to the allocations under subsections (1) and (2), from the state school aid fund money appropriated in section 11, there is allocated for 2023-2024 only an amount not to exceed \$11,939,000.00 for payments to participating intermediate districts and participating district libraries. A participating intermediate district or participating district library shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the participating intermediate district or participating district library for the fiscal year in which it is received. The amount allocated to each participating intermediate district or participating district library under this subsection is calculated as follows:

(a) For each participating intermediate district, \$11,912,000.00 multiplied by each participating intermediate district's percentage of the total statewide payroll for all participating intermediate districts **for the immediately preceding fiscal year**.

(b) For each participating district library, \$27,000.00 multiplied by each participating district library's percentage of the total statewide payroll for all participating district libraries **for the immediately preceding fiscal year**.

(c) As used in this subsection:

(i) "Participating district library" means a district library that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

(ii) "Participating intermediate district" means an intermediate district that is a reporting unit of the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that reports employees to the Michigan public school employees' retirement system for the applicable fiscal year.

Sec. 201. (1) Subject to the conditions set forth in this article, the amounts listed in this section are appropriated for community colleges for the fiscal year ending September 30, 2024, from the funds indicated in this section. The following is a summary of the appropriations in this section:

(a) The gross appropriation is ~~\$544,517,500.00~~ **\$549,517,500.00**. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is ~~\$544,517,500.00~~ **\$549,517,500.00**.

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(i) Total federal revenues, \$0.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, ~~\$544,517,500.00~~ **\$549,517,500.00**.

(v) State general fund/general purpose money, \$0.00.

(2) Subject to subsection (3), the amount appropriated for community college operations is \$357,961,900.00, allocated as follows:

(a) The appropriation for Alpena Community College is \$6,327,100.00, \$6,026,800.00 for operations, \$273,800.00 for performance funding, and \$26,500.00 for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Bay de Noc Community College is \$6,299,200.00, \$5,877,000.00 for operations, \$308,300.00 for performance funding, and \$113,900.00 for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Delta College is \$16,690,500.00, \$15,888,200.00 for operations, \$754,100.00 for performance funding, and \$48,200.00 for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Glen Oaks Community College is \$2,939,000.00, \$2,802,100.00 for operations, \$136,900.00 for performance funding, and \$0.00 for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Gogebic Community College is \$5,367,600.00, \$5,103,300.00 for operations, \$226,400.00 for performance funding, and \$37,900.00 for costs incurred under the North American Indian tuition waiver.

(f) The appropriation for Grand Rapids Community College is \$20,966,400.00, \$19,766,200.00 for operations, \$1,078,200.00 for performance funding, and \$122,000.00 for costs incurred under the North American Indian tuition waiver.

(g) The appropriation for Henry Ford College is \$24,943,900.00, \$23,700,100.00 for operations, \$1,229,700.00 for performance funding, and \$14,100.00 for costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Jackson College is \$13,887,400.00, \$13,295,100.00 for operations, \$559,000.00 for performance funding, and \$33,300.00 for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Kalamazoo Valley Community College is \$14,539,400.00, \$13,776,100.00 for operations, \$705,800.00 for performance funding, and \$57,500.00 for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Kellogg Community College is \$11,290,200.00, \$10,754,400.00 for operations, \$514,800.00 for performance funding, and \$21,000.00 for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for Kirtland Community College is \$3,792,900.00, \$3,577,900.00 for operations, \$195,200.00 for performance funding, and \$19,800.00 for costs incurred under the North American Indian tuition waiver.

(l) The appropriation for Lake Michigan College is \$6,321,600.00, \$5,978,400.00 for operations, \$339,600.00 for performance funding, and \$3,600.00 for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for Lansing Community College is \$35,752,700.00, \$34,228,900.00 for operations, \$1,460,300.00 for performance funding, and \$63,500.00 for costs incurred under the North American Indian tuition waiver.

(n) The appropriation for Macomb Community College is \$37,661,900.00, \$35,911,900.00 for operations, \$1,723,500.00 for performance funding, and \$26,500.00 for costs incurred under the North American Indian tuition waiver.

(o) The appropriation for Mid Michigan Community College is \$5,798,500.00, \$5,458,100.00 for operations, \$284,800.00 for performance funding, and \$55,600.00 for costs incurred under the North American Indian tuition waiver.

(p) The appropriation for Monroe County Community College is \$5,286,800.00, \$5,003,600.00 for operations, \$281,100.00 for performance funding, and \$2,100.00 for costs incurred under the North American Indian tuition waiver.

(q) The appropriation for Montcalm Community College is \$3,966,700.00, \$3,758,900.00 for operations, \$198,300.00 for performance funding, and \$9,500.00 for costs incurred under the North American Indian tuition waiver.

(r) The appropriation for C.S. Mott Community College is \$17,823,200.00, \$17,098,300.00 for operations, \$693,400.00 for performance funding, and \$31,500.00 for costs incurred under the North American Indian tuition waiver.

(s) The appropriation for Muskegon Community College is \$10,223,600.00, \$9,733,400.00 for operations, \$477,500.00 for performance funding, and \$12,700.00 for costs incurred under the North American Indian tuition waiver.

(t) The appropriation for North Central Michigan College is \$4,011,000.00, \$3,615,900.00 for operations, \$252,900.00 for performance funding, and \$142,200.00 for costs incurred under the North American Indian tuition waiver.

(u) The appropriation for Northwestern Michigan College is \$10,650,300.00, \$10,006,800.00 for operations, \$466,500.00 for performance funding, and \$177,000.00 for costs incurred under the North American Indian tuition waiver.

(v) The appropriation for Oakland Community College is \$24,755,900.00, \$23,469,500.00 for operations, \$1,264,100.00 for performance funding, and \$22,300.00 for costs incurred under the North American Indian tuition waiver.

(w) The appropriation for Schoolcraft College is \$14,742,500.00, \$13,939,500.00 for operations, \$772,300.00 for performance funding, and \$30,700.00 for costs incurred under the North American Indian tuition waiver.

(x) The appropriation for Southwestern Michigan College is \$7,695,500.00, \$7,332,800.00 for operations, \$350,000.00 for performance funding, and \$12,700.00 for costs incurred under the North American Indian tuition waiver.

(y) The appropriation for St. Clair County Community College is \$8,226,400.00, \$7,786,600.00 for operations, \$423,800.00 for performance funding, and \$16,000.00 for costs incurred under the North American Indian tuition waiver.

(z) The appropriation for Washtenaw Community College is \$15,938,200.00, \$14,851,300.00 for operations, \$1,074,200.00 for performance funding, and \$12,700.00 for costs incurred under the North American Indian tuition waiver.

(aa) The appropriation for Wayne County Community College is \$19,197,900.00, \$18,376,100.00 for operations, \$817,200.00 for performance funding, and \$4,600.00 for costs incurred under the North American Indian tuition waiver.

(bb) The appropriation for West Shore Community College is \$2,865,600.00, \$2,721,000.00 for operations, \$130,200.00 for performance funding, and \$14,400.00 for costs incurred under the North American Indian tuition waiver.

(3) The amount appropriated in subsection (2) for community college operations is \$357,961,900.00 and is appropriated from the state school aid fund.

(4) From the appropriations described in subsection (1), both of the following apply:

(a) Subject to section 207a, the amount appropriated for fiscal year 2023-2024 to offset certain fiscal year 2023-2024 retirement contributions is \$7,189,000.00, appropriated from the state school aid fund.

(b) For fiscal year 2023-2024, there is allocated an amount not to exceed \$23,000,000.00 for payments to participating community colleges, appropriated from the state school aid fund. A community college that receives money under this subdivision shall use that money solely for the purpose of offsetting the normal cost contribution rate.

(5) From the appropriations described in subsection (1), subject to section 207b, the amount appropriated for payments to community colleges that are participating entities of the retirement system is \$105,800,000.00, appropriated from the state school aid fund.

(6) From the appropriations described in subsection (1), subject to section 207c, the amount appropriated for renaissance zone tax reimbursements is \$2,200,000.00, appropriated from the state school aid fund. Each community college receiving funds in this subsection shall accrue these payments to its institutional fiscal year ending June 30, 2024.

(7) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), the amount appropriated for career and education navigators for adult learners is \$5,000,000.00, appropriated from the state school aid fund. Community colleges, partnering with 1 or more county governments, where practicable, may apply for grant funding through the Office of Sixty by 30 in the department of labor and economic opportunity to supplement or create navigation efforts of adult learners. The Office of Sixty by 30 shall issue a report including, but not limited to, the number of grants awarded, a list of community colleges awarded grants and the amounts, and the amount of unexpended funds remaining at the end of the fiscal year. The report must be issued to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the state budget director by September 30, 2024.

(8) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), the amount appropriated for the Michigan Reconnect Entry Point Program is \$5,000,000.00, appropriated from the state school aid fund. Community colleges, partnering with 1 or more county governments, where practicable, may apply for grant funding through the Office of Sixty by 30 in the department of labor and economic opportunity to engage Michigan reconnect grant applicants who have been approved for funding but have not enrolled in a postsecondary or eligible Michigan reconnect program and work to identify and resolve barriers preventing enrollment. The Office of Sixty by 30 shall issue a report including, but not limited to, the number of grants awarded, a list of community colleges awarded grants and the amounts, a list of any counties that partnered with a community college for a grant under this section, and the amount of unexpended funds remaining at the end of the fiscal year. The report must be issued to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the state budget director by September 30, 2024.

(9) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), subject to ~~section~~ **sections 216c and 216d**, the amount appropriated for infrastructure, technology, equipment, maintenance, housing, and safety is \$32,836,600.00, appropriated from the state school aid fund.

(10) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), \$5,000,000.00 is appropriated from the state school aid fund for critical incident mapping. These funds must be distributed to community colleges proportionately to the amounts in subsection (2) for operations.

(11) From the appropriations described in subsection (1), the amount appropriated for Michigan workforce development projects is \$530,000.00, appropriated from the state school aid fund. These funds must be awarded to Kalamazoo Valley Community College, and must be used by that college in conjunction with the college's wind turbine program for curriculum development for programs in 1 or more of the following areas:

(a) Electric vehicle battery installation and repair.

(b) Electric vehicle charger installation for residential applications, commercial applications, or both.

(c) Residential and community scale solar panel installation, maintenance, and repair.

**(12) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), \$5,000,000.00 is appropriated from the state school aid fund to Washtenaw Community College for costs related to the college's involvement with a semiconductor research alliance.**

**Sec. 216d. (1) Each community college receiving an appropriation in section 201 must certify to the state budget director that it either did or did not receive a planning or construction authorization for a capital outlay project between January 1, 2023 and March 1, 2024. Each community college that certifies that it did receive a planning or construction authorization for a capital outlay project between January 1, 2023 and March 1, 2024 must do 1 of the following:**

**(a) Remit to the state treasurer an amount equal to the amount of the grant that community college received under section 216c.**



(b) Provide a written agreement to the state budget director to have the sum total of monthly payments under section 206 for the remainder of the fiscal year ending September 30, 2024 for that community college reduced by an amount equal to the amount of the grant the community college received under section 216c. The state treasurer shall reduce each of the remaining payments for that community college under section 206 by an amount equal to the amount that community college received under section 216c divided by the number of payments under section 206 remaining in the fiscal year, beginning with the next payment following receipt of the written agreement under this subdivision.

(2) For the purpose of determining whether a community college must remit payment or agree to proration under subsection (1), an adjustment in the cost or scope of a capital outlay project originally authorized prior to January 1, 2023 is not considered to be a planning or construction authorization.

(3) The state budget director shall withhold the monthly payment under section 206 of each community college that does not comply with subsection (1) until that community college is found to be in compliance with subsection (1).

(4) Once the state budget director has determined that each community college is in compliance with subsection (1), an amount equal to the sum total of all payments received under subsection (1)(a) and the amounts prorated under subsection (1)(b) must be distributed to the community colleges that certified that they did not receive a capital outlay appropriation under subsection (1). The payment for each community college must be calculated based on each community college's respective share of total fiscal year equated students as reported to the Michigan community college data inventory for the fiscal year ending September 30, 2022 for all community colleges that receive a payment under this subsection. Payments to community colleges under this subsection must be distributed in 1 lump sum to each community college with the payment described in section 206 that occurs in the month following the date the state budget director determines that each community college has complied with subsection (1).

(5) Payments under subsection (4) may be used only for the purposes described in section 216c(1).

(6) This section does not apply if the amendatory act that added this section takes effect prior to January 1, 2024.

Sec. 236. (1) Subject to the conditions set forth in this article, the amounts listed in this section are appropriated for higher education for the fiscal year ending September 30, 2024, from the funds indicated in this section. The following is a summary of the appropriations in this section and section 236j:

(a) The gross appropriation is \$2,291,048,800.00. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is \$2,291,048,800.00.

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(i) Total federal revenues, \$131,026,400.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, \$482,268,300.00.

(v) State general fund/general purpose money, \$1,677,754,100.00.

(c) The totals and subtotals reflected in subdivisions (a) and (b) do not include amounts appropriated under subsection (7)(f) or (8)(c) to avoid duplicating totals of amounts appropriated in this section and section 236j.

(2) Amounts appropriated for public universities are as follows:

(a) The appropriation for Central Michigan University is \$95,413,800.00, \$89,352,000.00 for operations, \$0.00 for per-student floor funding, \$4,467,600.00 for operations increase, and \$1,594,200.00 for costs incurred under the North American Indian tuition waiver.

(b) The appropriation for Eastern Michigan University is \$83,144,700.00, \$78,798,800.00 for operations, \$0.00 for per-student floor funding, \$3,939,900.00 for operations increase, and \$406,000.00 for costs incurred under the North American Indian tuition waiver.

(c) The appropriation for Ferris State University is \$59,646,500.00, \$56,126,000.00 for operations, \$0.00 for per-student floor funding, \$2,806,300.00 for operations increase, and \$714,200.00 for costs incurred under the North American Indian tuition waiver.

(d) The appropriation for Grand Valley State University is \$97,365,000.00, \$79,974,500.00 for operations, \$11,560,000.00 for per-student floor funding, \$4,576,700.00 for operations increase, and \$1,253,800.00 for costs incurred under the North American Indian tuition waiver.

(e) The appropriation for Lake Superior State University is \$15,190,300.00, \$13,573,100.00 for operations, \$0.00 for per-student floor funding, \$678,700.00 for operations increase, and \$938,500.00 for costs incurred under the North American Indian tuition waiver.

(f) The appropriation for Michigan State University is \$390,452,600.00, \$301,681,300.00 for operations, \$0.00 for per-student floor funding, \$15,084,100.00 for operations increase, \$1,943,800.00 for costs incurred under the North American Indian tuition waiver, \$38,518,400.00 for MSU AgBioResearch, and \$33,225,000.00 for MSU Extension.

(g) The appropriation for Michigan Technological University is \$54,525,700.00, \$51,103,600.00 for operations, \$0.00 for per-student floor funding, \$2,555,200.00 for operations increase, and \$866,900.00 for costs incurred under the North American Indian tuition waiver.

(h) The appropriation for Northern Michigan University is \$53,320,000.00, \$49,589,800.00 for operations, \$0.00 for per-student floor funding, \$2,479,500.00 for operations increase, and \$1,250,700.00 for costs incurred under the North American Indian tuition waiver.

(i) The appropriation for Oakland University is \$72,288,800.00, \$60,406,600.00 for operations, \$8,123,900.00 for per-student floor funding, \$3,426,500.00 for operations increase, and \$331,800.00 for costs incurred under the North American Indian tuition waiver.

(j) The appropriation for Saginaw Valley State University is \$33,894,500.00, \$32,086,300.00 for operations, \$0.00 for per-student floor funding, \$1,604,300.00 for operations increase, and \$203,900.00 for costs incurred under the North American Indian tuition waiver.

(k) The appropriation for University of Michigan – Ann Arbor is \$356,568,800.00, \$338,360,300.00 for operations, \$0.00 for per-student floor funding, \$16,918,000.00 for operations increase, and \$1,290,500.00 for costs incurred under the North American Indian tuition waiver.

(l) The appropriation for University of Michigan – Dearborn is \$31,233,500.00, \$27,869,700.00 for operations, \$1,699,800.00 for per-student floor funding, \$1,478,500.00 for operations increase, and \$185,500.00 for costs incurred under the North American Indian tuition waiver.

(m) The appropriation for University of Michigan – Flint is \$26,404,700.00, \$24,774,800.00 for operations, \$0.00 for per-student floor funding, \$1,238,700.00 for operations increase, and \$391,200.00 for costs incurred under the North American Indian tuition waiver.

(n) The appropriation for Wayne State University is \$224,354,500.00, \$213,286,600.00 for operations, \$0.00 for per-student floor funding, \$10,664,300.00 for operations increase, and \$403,600.00 for costs incurred under the North American Indian tuition waiver.

(o) The appropriation for Western Michigan University is \$119,983,900.00, \$113,752,600.00 for operations, \$0.00 for per-student floor funding, \$5,687,600.00 for operations increase, and \$543,700.00 for costs incurred under the North American Indian tuition waiver.

(3) The amount appropriated in subsection (2) for public universities is \$1,713,787,300.00, appropriated from the following:

(a) State school aid fund, \$443,168,300.00.

(b) State general fund/general purpose money, \$1,270,619,000.00.

(4) The amount appropriated for Michigan public school employees' retirement system reimbursement is \$0.00.

(5) The amount appropriated for state and regional programs is \$316,800.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Higher education database modernization and conversion, \$200,000.00.

(b) Midwestern Higher Education Compact, \$116,800.00.

(6) The amount appropriated for the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks program is \$2,691,500.00, appropriated from general fund/general purpose money and allocated as follows:

(a) Select student support services, \$1,956,100.00.

(b) Michigan college/university partnership program, \$586,800.00.

(c) Morris Hood, Jr. educator development program, \$148,600.00.

(7) Subject to subsection (8), the amount appropriated for grants and financial aid is \$447,283,200.00, allocated as follows:

(a) State competitive scholarships, \$26,861,700.00.

(b) Tuition grants, \$42,021,500.00.

(c) Tuition incentive program, \$73,800,000.00.

(d) Children of veterans and officer's survivor tuition grant programs, \$1,400,000.00.

(e) Project GEAR-UP, \$3,200,000.00.

(f) Michigan achievement scholarships, \$300,000,000.00. From this amount, up to \$10,000,000.00 may be used to award skills scholarships under section 248a.

(8) The money appropriated in subsection (7) for grants and financial aid is appropriated from the following:

(a) Federal revenues under the United States Department of Education, Office of Elementary and Secondary Education, GEAR-UP program, \$3,200,000.00.

(b) Federal revenues under the social security act, temporary assistance for needy families, \$127,826,400.00.

(c) Postsecondary scholarship fund, \$300,000,000.00.

(d) State general fund/general purpose money, \$16,256,800.00.

(9) For fiscal year 2023-2024 only, in addition to the allocation under subsection (4), from the appropriations described in subsection (1), there is allocated an amount not to exceed \$9,100,000.00 for



payments to participating public universities, appropriated from the state school aid fund. A public university that receives money under this subsection shall use that money solely for the purpose of offsetting the normal cost contribution rate. As used in this subsection, “participating public universities” means public universities that are a reporting unit of the Michigan public school employees’ retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437, and that pay contributions to the Michigan public school employees’ retirement system for the state fiscal year.

(10) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), the amount appropriated for Michigan Technological University for the creation of a bachelor of science degree in nursing program is \$870,000.00, appropriated from state general fund/general purpose money.

(11) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), \$3,000,000.00 is appropriated from state general fund/general purpose money to the Michigan geological survey for costs related to the development, construction, and equipment purchases for a new facility.

(12) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), \$5,000,000.00 is appropriated from state general fund/general purpose money for critical incident mapping. These funds must be distributed to universities proportionately to the amounts in subsection (2) for operations.

(13) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), subject to ~~section sections~~ **sections 236m and 236o**, \$79,000,000.00 is appropriated from general fund/general purpose money for infrastructure, technology, equipment, maintenance, and safety.

(14) For fiscal year 2023-2024 only, from the appropriations described in subsection (1), \$30,000,000.00 is appropriated from the state school aid fund to Michigan State University for the Engineering and Digital Innovation Center.

Sec. 236m. (1) ~~Funds~~ **Subject to subsection (2), funds** appropriated in section 236(13) for infrastructure, technology, equipment, maintenance, and safety are intended to be used for necessary improvements and deferred maintenance of public university buildings, facilities, and other physical infrastructure; necessary improvements and deferred maintenance of information technology, other technology infrastructure, and other equipment; and other purposes related to infrastructure, technology, equipment, and maintenance. A public university may also use these funds for debt or to upgrade safety and security infrastructure. These funds are not intended to be used for any other purpose than what is specified in this section.

**(2) If the University of Michigan – Ann Arbor receives funds subject to the allowable uses under this section, the university must, as a condition on receiving those funds, agree to allocate not less than \$5,000,000.00 of those funds for costs related to the university’s involvement with a semiconductor research alliance.**

(3) ~~To~~ To receive funds under this section, a public university must certify to the state budget director by January 1, 2024 that it did not receive an appropriation for a planning or construction authorization for a capital outlay project between January 1, 2023 and December 15, 2023.

(4) ~~Funds~~ Funds appropriated in section 236(13) are distributed to each public university that certified it did not receive a capital outlay appropriation under subsection ~~(2)–(3)~~. The payment for each public university must be calculated based on each public university’s respective share of total fiscal year equated students as reported to the higher education institutional data inventory for the fiscal year ending September 30, 2022 for all public universities that receive a payment under this section. Payments to public universities under this section must be distributed in 1 lump sum to each institution with the January 16, 2024 payment described in section 241.

**Sec. 236o. (1) Each public university receiving an appropriation in section 236 must certify to the state budget director that it either did or did not receive a planning or construction authorization for a capital outlay project between January 1, 2023 and March 1, 2024. Each public university that certifies that it did receive a planning or construction authorization for a capital outlay project between January 1, 2023 and March 1, 2024 must do 1 of the following:**

**(a) Remit to the state treasurer an amount equal to the amount of the grant that university received under section 236m.**

**(b) Provide a written agreement to the state budget director to have the sum total of monthly payments under section 241 for the remainder of the fiscal year ending September 30, 2024 for that university reduced by an amount equal to the amount of the grant the university received under section 236m. The state treasurer shall reduce each of the remaining payments for that university under section 241 by an amount equal to the amount that university received under section 236m divided by the number of payments under section 241 remaining in the fiscal year, beginning with the next payment following receipt of the written agreement under this subdivision.**

**(2) For the purpose of determining whether a university must remit payment or agree to proration under subsection (1), an adjustment in the cost or scope of a capital outlay project originally authorized prior to January 1, 2023 is not considered to be a planning or construction authorization.**

(3) The state budget director shall withhold the monthly payment under section 241 of each university that does not comply with subsection (1) until that university is found to be in compliance with subsection (1).

(4) Once the state budget director has determined that each university is in compliance with subsection (1), an amount equal to the sum total of all payments received under subsection (1)(a) and the amounts prorated under subsection (1)(b) must be distributed to the universities that certified that they did not receive a capital outlay appropriation under subsection (1). The payment for each public university must be calculated based on each public university's respective share of total fiscal year equated students as reported to the higher education institutional data inventory for the fiscal year ending September 30, 2022 for all public universities that receive a payment under this subsection. Payments to public universities under this subsection must be distributed in 1 lump sum to each university with the payment described in section 241 that occurs in the month following the date the state budget director determines that each university has complied with subsection (1).

(5) Payments under subsection (4) may be used only for the purposes described under section 236m.

(6) This section does not apply if the amendatory act that added this section takes effect prior to January 1, 2024.

Sec. 248. (1) The funds appropriated in section 236 for Michigan achievement scholarships must be distributed as provided in this section and section 248a, pursuant to the administrative procedures for Michigan achievement scholarships of the department.

(2) As used in this section:

(a) "Department" means the department of treasury.

(b) "Eligible institution" means a public university that receives an appropriation in section 236, a community college that receives an appropriation in section 201, a federally recognized tribal college in this state, or an independent nonprofit college or university in this state as described in section 1 of 1966 PA 313, MCL 390.991.

(c) "Gift aid" includes federal Pell grants under 20 USC 1070a, tuition incentive program benefits under section 256, state tuition grants under section 252, awards received for minimum payments awarded in subsection (4), higher education expenses paid under the Michigan promise zone authority act, 2008 PA 549, MCL 390.1661 to 390.1679, and all other federal, state, local, or institutional aid in the form of grants, scholarships, or discounts applied toward tuition and mandatory fees. Gift aid does not include student loans, work-study awards, qualified withdrawals made from education savings accounts to pay higher education expenses pursuant to the Michigan education savings program act, 2000 PA 161, MCL 390.1471 to 390.1486, or higher education expenses paid under the Michigan education trust program pursuant to the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442.

(d) "High school equivalency certificate" means that term as defined in section 4.

(3) An individual must meet all of the following criteria and financial thresholds each year to be eligible for a Michigan achievement scholarship awarded under this section:

(a) Be a resident of this state for at least the immediately preceding year.

(b) Have graduated from high school in this state with a diploma or certificate of completion or achieved a high school equivalency certificate in 2023 or after.

(c) Be a full-time undergraduate student at an eligible institution, as defined by that eligible institution, and be a first-time enrollee in an eligible institution during the 2023-2024 academic year, or a subsequent academic year, within 15 months after high school graduation or attainment of a high school equivalency certificate or have received a Michigan achievement scholarship in a previous academic year. For the purposes of this subdivision, participation in a dual enrollment, early college, or other similar program while attending high school does not disqualify a student from being considered a first-time enrollee.

(d) Maintain satisfactory academic progress, as defined by the eligible institution in which the student is enrolled.

(e) Not be incarcerated in a corrections institution.

(f) Not be in default on a federal student loan.

(g) ~~Complete~~ **For awards made during academic year 2023-2024, complete** the Free Application for Federal Student Aid and have an expected family contribution of \$25,000.00 or less. **For awards made during academic year 2024-2025 or a subsequent academic year, except as otherwise provided in this subdivision and subdivision (h), complete the Free Application for Federal Student Aid and have a student aid index number of 1 of the following, as applicable:**

(i) **For a student indicating on the student's Free Application for Federal Student Aid that the student is the only member of the student's household or the student's parents' household attending a postsecondary institution during that academic year, \$30,000.00 or less.**

(ii) For a student indicating on the student's Free Application for Federal Student Aid that the student is not the only member of the student's household or the student's parents' household attending a postsecondary institution during that academic year, the greater of the number described in subparagraph (i) or a number determined by the department of treasury. For the purposes of this subparagraph, the department of treasury, in collaboration with the state budget office and the house and senate fiscal agencies, may calculate a student aid index number or may issue administrative guidance for the student aid index eligibility of students with more than 1 member of the student's household or the student's parents' household attending a postsecondary institution during that academic year. It is the intent of the legislature that the utilization of a student aid index instead of expected family contribution does not adversely impact the eligibility of students with multiple members of the student's household or the student's parents' household in college.

(h) For the purpose of determining eligibility under subdivision (g), an individual is considered to have met the requirements of subdivision (g) if the individual received the Michigan achievement scholarship in academic year 2023-2024, was determined to have an expected family contribution of \$25,000.00 or less in academic year 2023-2024, and has completed the Free Application for Federal Student Aid for the subsequent award cycles.

(i) The legislature finds and declares that the student aid index thresholds in subdivision (g) are temporary and intended to apply only for academic year 2024-2025. It is the intent of the legislature that the legislature and executive branch work collaboratively to use Michigan achievement scholarship uptake and other relevant data to establish a more permanent measure of financial need for the Michigan achievement scholarship for subsequent academic years.

(j) ~~(h)~~ Apply for all available gift aid for each academic year in which the individual applies for a Michigan achievement scholarship.

(4) Michigan achievement scholarships are subject to all of the following:

(a) Subject to section 248a(3)(f)(i), an eligible student may receive an award under this section or section 248a for a maximum of 5 academic years, not more than 3 of which may be for attending eligible institutions that are community colleges or federally recognized tribal colleges unless the student is enrolled in a baccalaureate degree program described in section 121 of the community college act of 1966, 1966 PA 331, MCL 389.121. A student may not receive an award under this subsection and section 248a(3)(f)(i) during the same academic year.

(b) The amount awarded to an eligible student at an eligible institution that is a community college or federally recognized tribal college must equal the sum of following:

(i) A minimum payment of \$1,750.00, which is comprised of a base payment of \$1,000.00 plus an additional payment of \$750.00.

(ii) The lesser of \$1,000.00 or the student's last-dollar payment amount.

(c) The amount awarded to an eligible student at an eligible institution that is a public university or enrolled in a baccalaureate degree program described in section 121 of the community college act of 1966, 1966 PA 331, MCL 389.121, must equal the sum of following:

(i) A minimum payment of \$2,500.00, which is comprised of a base payment of \$1,000.00 plus an additional payment of \$1,500.00.

(ii) The lesser of \$3,000.00 or the student's last-dollar payment amount.

(d) The amount awarded to an eligible student at an eligible institution that is an independent nonprofit college or university must equal the sum of the following:

(i) A minimum payment of \$1,000.00.

(ii) The lesser of \$3,000.00 or the student's last-dollar payment amount.

(e) Money awarded under this subsection for a Michigan achievement scholarship must be paid to the eligible institution for credit to the student's account.

(f) As used in this subsection:

(i) "Last-dollar payment amount" means an amount equal to the tuition, mandatory fees, and contact hours for each student's actual program of study, minus all gift aid received by the student.

(ii) "Minimum payment" means a payment eligible for any cost within the student's individual cost of attendance. The minimum payment must be awarded as a separate payment not included in the student's need-based financial aid. The minimum payment must not be reduced.

(5) The department shall work closely with participating institutions to provide the highest level of participation and ensure that all requirements of the program are met.

(6) From the funds appropriated in section ~~236(6)~~-**236(7)** for the Michigan achievement scholarships, the department may not use more than \$10,000,000.00 for the purposes of outreach programs to raise awareness of the Michigan achievement scholarship described in this section and section 248a and shall ensure that Michigan achievement scholarships are well publicized and that high school students are provided information on the program. The department may receive and expend funds received from outside sources for scholarships, marketing, or other purposes related to the Michigan achievement scholarship. The department shall provide the necessary funding and staff to fully operate the program.

(7) The department shall convene a workgroup during the fiscal year ending September 30, 2024 to consider and advise the department on implementing policies for administering the Michigan achievement scholarship. The workgroup shall include participation from the Michigan Association of State Universities and its institutional members, the Michigan College Access Network, the Michigan Community College Association and its institutional members, the Michigan Independent Colleges and Universities and its institutional members, and any other interested stakeholders and offices as determined by the department. The workgroup shall make recommendations on packaging order, packaging structure, definitions of terms not otherwise defined in statute, and other administrative regulatory requirements as necessary to implement the Michigan achievement scholarship.

(8) The following reporting obligations apply to the Michigan achievement scholarship program:

(a) By May 1 and December 1 of each year, the department shall provide a written report, organized by eligible institution, to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director that includes the following information for the previous academic year:

(i) The number of students who qualified for a Michigan achievement scholarship.

(ii) The number of students who received a Michigan achievement scholarship.

(iii) The average number of credits earned by students who received a Michigan achievement scholarship.

(iv) The number of Michigan achievement scholarships that were canceled due to failure to maintain satisfactory academic progress under subsection (3)(d).

(v) The number of Michigan achievement scholarships that were canceled due to a student ceasing attendance at an eligible institution. The number must not include any known transfers to another eligible institution.

(vi) The number of Michigan achievement scholarships that were canceled due to a student's failure to maintain full-time status.

(vii) The average Michigan achievement scholarship award per student, delineated by sector, including community colleges, tribal colleges, public universities, independent colleges and universities, and training institutions. As used in this subparagraph, "training institutions" means training institutions accepted to participate in the Michigan achievement scholarship program under section 248a.

(b) Each eligible institution whose students receive awards under this section shall cooperate with the department in a timely manner to facilitate the creation of the report under subdivision (a).

(9) Beginning April 1, 2024, by April 1 of each year, each eligible institution shall submit a report to the department, the state budget office, and the house and senate fiscal agencies providing information as to the total institutional grant aid per full-year equated undergraduate student for the current institution fiscal year and for the immediately preceding 3 institution fiscal years. If the institution does not maintain total institutional grant aid per full-year equated undergraduate student at the average amount provided over the immediately preceding 3 institution fiscal years, the institution must include in the report a description of changes to institutional finances or the student population that prevented the institution from maintaining support for institutional aid. An institution's report of total institutional grant aid per full-year equated undergraduate student pursuant to this subdivision must be consistent with data most recently reported to the Integrated Postsecondary Education Data System.

(10) For each fiscal year, an eligible institution becomes ineligible for funding under this section if, in the immediately preceding fiscal year, the institution exceeds 1 of the following tuition restraint requirements, as applicable:

(a) For an eligible institution that is a community college, the tuition restraint described in section 217b.

(b) For an eligible institution that is a public university or independent nonprofit college or university, the tuition restraint described in section 241c.

(11) It is the intent of the legislature that an eligible institution will not make reductive changes to scholarship or financial aid programs offered by that eligible institution that have the goal or net effect of shifting the cost burden of those programs to the program described in this section.

Enacting section 1. (1) In accordance with section 30 of article IX of the state constitution of 1963, total state spending on school aid under article I of the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2022 PA 144, 2022 PA 212, 2023 PA 3, 2023 PA 103, and this amendatory act, from state sources for fiscal year 2022-2023 is estimated at \$17,652,218,900.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2022-2023 are estimated at \$16,056,571,400.00. In accordance with section 30 of article IX of the state constitution of 1963, total state spending on school aid under article I of the state school aid act of 1979, 1979 PA 94, MCL 388.1601 to 388.1772, as amended by 2023 PA 103 and this amendatory act, from state sources for fiscal year 2023-2024 is estimated at \$19,258,857,800.00 and state appropriations for school aid to be paid to local units of government for fiscal year 2023-2024 are estimated at \$17,605,138,000.00.

(2) In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources for community colleges for fiscal year 2023-2024 under article II of the state school aid act of 1979, 1979 PA 94, MCL 388.1801 to 388.1830, as amended by 2023 PA 103 and this amendatory act, is estimated at \$549,517,500.00 and the amount of that state spending from state sources to be paid to local units of government for fiscal year 2023-2024 is estimated at \$549,517,500.00.

Enacting section 2. Section 12b of the state school aid act of 1979, 1979 PA 94, MCL 388.1612b, is repealed.

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1979 PA 94, entitled "AN ACT to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 6, 11, 12a, 12c, 20, 22f, 31a, 31ff, 41, 51a, 51c, 61f, 61s, 61u, 94a, 95b, 97e, 97g, 97k, 99d, 99m, 99n, 99ii, 99jj, 107a, 147a, 201, 236, 236m, and 248 (MCL 388.1606, 388.1611, 388.1612a, 388.1612c, 388.1620, 388.1622f, 388.1631a, 388.1631ff, 388.1641, 388.1651a, 388.1651c, 388.1661f, 388.1661s, 388.1661u, 388.1694a, 388.1695b, 388.1697e, 388.1697g, 388.1697k, 388.1699d, 388.1699m, 388.1699n, 388.1699ii, 388.1699jj, 388.1707a, 388.1747a, 388.1801, 388.1836, 388.1836m, and 388.1848), sections 6, 11, 20, 31a, 41, 51a, 51c, 94a, 95b, 97e, 147a, 201, 236, and 248 as amended and sections 12a, 12c, 22f, 31ff, 61f, 61s, 61u, 97g, 97k, 99d, 99m, 99n, 99ii, 99jj, 107a, and 236m as added by 2023 PA 103, and by adding sections 216d and 236o; and to repeal acts and parts of acts.

Sarah E. Anthony  
Sean McCann  
Conferees for the Senate

Regina Weiss  
Samantha Steckloff  
Conferees for the House

Rep. Aiyash moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 482**

**Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Bymes	Hill	Neeley	Tate
Carter, B.	Hood	O’Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

**Nays—52**

Alexander	DeBoyer	Lightner	Schriver
Aragona	DeSana	Maddock	Schuette

Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine
Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Greene, J.	Outman	Tisdell
Borton	Hall	Paquette	VanderWall
Bruck	Harris	Posthumus	VanWoerkom
Carra	Hoadley	Prestin	Wendzel
Cavitt	Johnsen	Rigas	Wozniak
DeBoer	Kunse	Schmaltz	Zorn

In The Chair: Pohutsky

By unanimous consent the House returned to the order of  
**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills and joint resolution had been reproduced and made available electronically on Thursday, November 2:

**House Bill Nos. 5291 5292 5293 5294 5295**  
**House Joint Resolution I**  
**Senate Bill Nos. 639 640**

The Clerk announced that the following Senate bills had been received on Thursday, November 2:  
**Senate Bill Nos. 249 393 394 463 505 570 590 591 594**

**Messages from the Senate**

**House Bill No. 4292, entitled**

A bill to make appropriations for the legislature, the executive, the department of the attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, and certain other state purposes for the fiscal year ending September 30, 2024; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

(For text of conference report, see today’s Journal, p. 2243.)

The Senate has adopted the report of the Committee of Conference.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4570, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 759 (MCL 168.759), as amended by 2023 PA 82.

The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4984, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 307 (MCL 257.307), as amended by 2020 PA 376.

The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4985, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 1 (MCL 28.291), as amended by 2021 PA 105.

The Senate has passed the bill.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4986, entitled**

A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 5 (MCL 28.305), as amended by 2021 PA 106.

The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4569, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 495, 509o, 509q, 509r, 509gg, and 516 (MCL 168.495, 168.509o, 168.509q, 168.509r, 168.509gg, and 168.516), section 495 as amended by 2018 PA 603, section 509o as amended by 2022 PA 195, section 509q as amended by 2020 PA 302, sections 509r and 516 as amended by 2018 PA 125, and section 509gg as amended by 2014 PA 94, and by adding section 496a.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 4983, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 493a, 500a, 501, 509o, 509q, and 509r (MCL 168.493a, 168.500a, 168.501, 168.509o, 168.509q, and 168.509r), section 493a as added by 2018 PA 603, sections 500a, 501, and 509r as amended by 2018 PA 125, section 509o as amended by 2022 PA 195, and section 509q as amended by 2020 PA 302, and by adding section 493b.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 493a, 500a, and 501 (MCL 168.493a, 168.500a, and 168.501), section 493a as added by 2018 PA 603 and sections 500a and 501 as amended by 2018 PA 125, and by adding section 493b.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**Senate Bill No. 249, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20904, 20912, 20950, 20952, and 20954 (MCL 333.20904, 333.20912, 333.20950, 333.20952, and 333.20954), sections 20904, 20912, and 20954 as amended by 2000 PA 375, section 20950 as amended by 2021 PA 25, and section 20952 as added by 1990 PA 179.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Health Policy.

**Senate Bill No. 393, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 26 (MCL 324.2601 to 324.2611).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Natural Resources, Environment, Tourism and Outdoor Recreation.



**Senate Bill No. 394, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 1307, and 1311 (MCL 324.1301, 324.1307, and 324.1311), section 1301 as amended by 2018 PA 451, section 1307 as amended by 2018 PA 631, and section 1311 as amended by 2018 PA 268; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Natural Resources, Environment, Tourism and Outdoor Recreation.

**Senate Bill No. 463, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278e.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Education.

**Senate Bill No. 505, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11d of chapter XVII (MCL 777.11d), as amended by 2023 PA 83.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Elections.

**Senate Bill No. 570, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 31a (MCL 168.31a), as amended by 2018 PA 603.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Elections.

**Senate Bill No. 590, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 13 (MCL 168.13) and by adding section 845a.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Elections.

**Senate Bill No. 591, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4501 and 4545 (MCL 600.4501 and 600.4545).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Elections.

**Senate Bill No. 594, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509ii (MCL 168.509ii), as added by 2018 PA 350.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Elections.

### Second Reading of Bills

**House Bill No. 5120, entitled**

A bill to amend 2008 PA 295, entitled "Clean and renewable energy and energy waste reduction act," (MCL 460.1001 to 460.1211) by amending the title and by adding part 8.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Energy, Communications, and Technology,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.



Rep. Aiyash moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Churches moved to amend the bill as follows:

1. Amend page 2, line 14, after “**ordinances;**” by inserting “**to protect personal property rights;**”

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Witwer moved to amend the bill as follows:

1. Amend page 4, following line 10, by inserting:

“(g) “**Dark sky-friendly lighting technology**” means a light fixture that is designed to minimize the amount of light that escapes upward into the sky.” and relettering the remaining subdivisions.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Wilson moved to amend the bill as follows:

1. Amend page 6, following line 11, by inserting:

“(s) “**Project labor agreement**” means a prehire collective bargaining agreement with 1 or more labor organizations that establishes the terms and conditions of employment for a specific construction project and does all of the following:

(i) Binds all contractors and subcontractors on the construction project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents.

(ii) Allows all contractors and subcontractors on the construction project to compete for contracts and subcontracts without regard to whether they are otherwise parties to collective bargaining agreements.

(iii) Contains guarantees against strikes, lockouts, and similar job disruptions.

(iv) Sets forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the term of the project labor agreement.

(v) Provides other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health.

(vi) Complies with all state and federal laws, rules, and regulations.” and relettering the remaining subdivisions.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep Witwer moved to amend the bill as follows:

1. Amend page 11, line 16, after “(p)” by striking out the balance of the line through “**facility,**” on line 17 and inserting “**A fire response plan and**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Puri moved to amend the bill as follows:

1. Amend page 12, line 10, after “(1)” by striking out the balance of the line through “**complete,**” on line 11 and inserting “**Upon filing an application with the commission,**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Puri moved to amend the bill as follows:

1. Amend page 12, line 18, after “(2)” by striking out the balance of the line through “**application**” on line 21 and inserting “**Upon filing an application with the commission, the applicant shall provide notice of the opportunity to comment on the application in a form and manner prescribed by the commission.**”

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Puri moved to amend the bill as follows:

1. Amend page 13, line 18, after “**consider**” by inserting “**the feasible developed alternatives described under section 225(1)(m), if applicable, and**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Puri moved to amend the bill as follows:

1. Amend page 13, line 25, after “**cover.**” by inserting “**This subdivision does not apply to an application for an energy facility that is proposed to be located entirely on brownfield land.**”.

2. Amend page 14, line 8, after “**partners.**” by inserting “**This subdivision does not apply to an application for an energy facility that is proposed to be located entirely on brownfield land.**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Snyder moved to amend the bill as follows:

1. Amend page 15, line 29, after “(i)” by striking out the balance of the line and inserting “**The following minimum setback requirements, with setback distances measured from the nearest edge of any component of the facility:**”.

2. Amend page 16, line 2, after “**buildings**” by striking out “**150**” and inserting “**200**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Witwer moved to amend the bill as follows:

1. Amend page 16, following line 23, by inserting:

“(v) **The solar energy facility will implement dark sky friendly lighting solutions.**

**(vi) The commission may adopt more stringent requirements under this subdivision if determined necessary for compliance with state or federal environmental regulations.”.**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Martus moved to amend the bill as follows:

1. Amend page 16, line 25, after “**following**” by inserting “**minimum**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Martus moved to amend the bill as follows:

1. Amend page 18, line 3, after “**energy**” by striking out “**conversion**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Conlin moved to amend the bill as follows:

1. Amend page 18, following line 23, by inserting:

“(vii) **The commission may adopt more stringent requirements under this subdivision if determined necessary for compliance with state or federal environmental regulations.”.**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Conlin moved to amend the bill as follows:

1. Amend page 19, following line 7, by inserting:

“(iii) **The commission may adopt more stringent requirements under this subdivision if determined necessary for compliance with state or federal environmental regulations.”.**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Witwer moved to amend the bill as follows:

1. Amend page 18, line 24, after “**facility,**” by striking out “**both**” and inserting “**all**”.

2. Amend page 19, following line 7, by inserting:

“(iii) **The energy storage facility will implement dark sky-friendly lighting solutions.**

**(iv) The energy storage facility will comply with any more stringent requirements adopted under this subparagraph. The commission may adopt more stringent requirements for energy storage facilities if it considers the requirements necessary for compliance with state or federal environmental regulations.”.**

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Puri moved to amend the bill as follows:

1. Amend page 20, following line 28, by inserting:

“**Sec. 227a. Before commencing commercial operations, an applicant shall file a completion report certifying compliance with the requirements of this act and any conditions contained in the commission’s certificate.**” and renumbering the remaining subsections.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Puri moved to amend the bill as follows:

1. Amend page 21, line 4, by striking out all of subsections (2) and (3) and renumbering the remaining subsection.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Aiyash moved to amend the bill as follows:

1. Amend page 8, following line 10, by inserting:

“(4) If a city or village has a wind, solar, or energy storage facility that would normally be subject to subsection (2) and that is for an energy facility that is located entirely within the city or village, the city or village is exempt from this part as it relates to the energy facility.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Puri moved to amend the bill as follows:

1. Amend page 23, line 7, after “**restrictive**” by striking out the balance of the subsection and inserting “**requirements than those specified in the commission’s certificate.**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Aiyash moved to amend the bill as follows:

1. Amend page 7, line 20, after “**Any**” by striking out the balance of the subdivision and inserting “**solar energy facility with a nameplate capacity of 50 megawatts or more.**”

**(b) Any wind energy facility with a nameplate capacity of 100 megawatts or more.**” and relettering the remaining subdivision.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Haadsma moved to amend the bill as follows:

1. Amend page 23, following line 17, by inserting:

“**Sec. 232. If a portion of this amendatory act is, for any reason, held to be invalid or unconstitutional, the remaining sections, subsections, or parts of those sections are not affected and remain in full force and effect.**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Miller moved to amend the bill as follows:

1. Amend page 4, following line 7, by inserting:

“(f) “**Compatible renewable energy ordinance**” means an ordinance that provides for the development of energy facilities within the local unit of government using requirements that are no more restrictive than the provisions included in section 226(8). A local unit of government is deemed not to have a compatible renewable energy ordinance if it has adopted, or adopts, a moratorium on the development of energy facilities within its jurisdiction.” and relettering the remaining subdivisions.

2. Amend page 7, line 19, after “(a)” by striking out “Any” and inserting “**Except for a wind energy or solar energy facility proposed to be located in a local unit of government with a compatible renewable energy ordinance, any**”.

3. Amend page 7, line 22, after “(b)” by striking out “Any” and inserting “**Except for an energy storage facility proposed to be located in a local unit of government with a compatible renewable energy ordinance, any**”.

4. Amend page 9, following line 5, by inserting:

“(3) **If, within 30 days following a meeting described in subsection (2), the chief elected official of each affected local unit communicates that it has a compatible renewable energy ordinance to the electric provider or IPP planning to construct the energy facility, then the electric provider or IPP shall file for approval with the respective local unit subject to the following provisions:**

**(a) This section is not applicable to a proposed energy facility that is located in more than one local unit of government, unless each affected local unit has a compatible renewable energy ordinance.**

**(b) An application submitted under this section shall comply with the requirements of section 225(1), except for section 225(1)(j) and (r). The local unit of government may require other information necessary to determine compliance with the compatible renewable energy ordinance.**

**(c) A local unit of government exercising siting jurisdiction pursuant to a compatible renewable energy ordinance must either approve or deny the application within 4 months of receiving an application. The applicant and local unit of government may jointly agree to extend this deadline by up to 4 months.**

**(d) If a local unit of government amends its zoning ordinance in a manner that places additional requirements on the development of energy facilities within its jurisdiction that are more restrictive than those in section 226(8), it will be deemed to no longer have a compatible renewable energy ordinance.**

**(e) If a local unit of government fails to approve or deny the application within 4 months, denies an application that complies with the requirements of section 226(8), or amends its zoning ordinance as**

described in subdivision (c), the applicant may submit an application for a certificate to the commission. If the proposed energy facility is located in more than one local unit of government and any local unit of government takes an action that would trigger this subdivision, the applicant may submit an application for a certificate to the commission.

(f) An applicant submitting an application to the commission pursuant to this subsection does not need to comply with subsection (1) or 226(1), or the requirement to submit a summary of community outreach and education efforts under section 225(1)(j).

(4) If a local unit of government approves an application pursuant to this section, construction of the proposed energy facility must begin within 5 years from the date the permit is granted and any challenges to the grant of the permit are concluded. The local unit of government may extend this timeline at the request of the applicant without requiring a new application. A permit issued under this section may not be revoked by the local unit except upon material noncompliance with the permit by the applicant.

(5) If the commission approves an application for a certificate submitted under subsection (3)(e), the local unit of government is considered to no longer have a compatible renewable energy ordinance, unless the commission finds that the local unit of government's denial of the application was reasonably related to the applicant's failure to provide information required by subsection (3)(a).

(6) Nothing in this section shall be construed to limit remedies available to an applicant to appeal a denial by a local unit of government under any other law of this State.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Aiyash moved to amend the bill as follows:

1. Amend page 15, line 10, by striking out all of subdivisions (e) and (f) and inserting:

“(e) All of the following apply:

(i) The installation, construction, or construction maintenance of the energy facility will use apprenticeship programs registered and in good standing with the United States Department of Labor.

(ii) The workers employed for the construction or construction maintenance of the energy facility will be paid a minimum wage standard not less than the wage and fringe benefit rates prevailing in the locality in which the work is to be performed as determined under 2023 PA 10, MCL 408.1101 to 408.1126, or 40 USC 3141 to 3148, whichever provides the higher wage and fringe benefit rates.

(iii) To the extent permitted by law, the entities performing the construction or construction maintenance work will enter into a project labor agreement or operate under a collective bargaining agreement for the work to be performed.

(f) The proposed energy facility will not unreasonably diminish prime or other farmland.” and relettering the remaining subdivision.

2. Amend page 19, line 13, after “facility.” by striking out the balance of the line through “applicant” on line 14 and inserting “If the certificate is appealed in proceedings before the commission or to a court of competent jurisdiction, the running of the 5-year period is tolled from the date of filing the appeal until 60 days after issuance of a final nonappealable decision. The commission may extend the 5-year period for not more than 1 year at the request of the applicant and upon a showing of good cause”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Alexander moved to amend the bill as follows:

1. Amend page 15, line 24, after “safety.” by inserting “(h)If the proposed facility is not located in a county with a population between 40,600 and 190,000 according to the most recent federal decennial census and has at least 67,000 acres of soybeans planted according to the most recent USDA National Agricultural Statistics Service Great Lakes Region.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Snyder moved to amend the bill as follows:

1. Amend page 15, line 29, after “(i)” by striking out the balance of the line and inserting “The following minimum setback requirements, with setback distances measured from the nearest edge of any component of the facility:”.

2. Amend page 16, line 2, after “buildings” by striking out “150” and inserting “300”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Hood moved to amend the bill as follows:

1. Amend page 10, following line 25, by inserting:

“(I) The soil and economic survey report under section 60303 of the natural resources and environmental protection act, 1994 PA 461, MCL 324.60303, for the county where the proposed energy facility will be located.” and relettering the remaining subdivisions.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Alexander moved to amend the bill as follows:

1. Amend page 15, line 24, after “safety.” by inserting “(h)If the proposed facility is not located in a county with a population between 30,500 and 40,600 according to the most recent federal decennial census and has at least 56,400 acres of soybeans planted according to the most recent USDA National Agricultural Statistics Service Great Lakes Region.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Aiyash moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Aiyash moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**House Bill No. 5120, entitled**

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” (MCL 460.1001 to 460.1211) by amending the title and by adding part 8.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 483**

**Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Bymes	Hill	Neeley	Tate
Carter, B.	Hood	O’Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

**Nays—52**

Alexander	DeBoyer	Lightner	Schriver
Aragona	DeSana	Maddock	Schuette
Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine
Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Greene, J.	Outman	Tisdell
Borton	Hall	Paquette	VanderWall
Bruck	Harris	Posthumus	VanWoerkom

Carra  
Cavitt  
DeBoer

Hoadley  
Johnsen  
Kunse

Prestin  
Rigas  
Schmaltz

Wendzel  
Wozniak  
Zorn

In The Chair: Pohutsky

The question being on agreeing to the title of the bill,

Rep. Aiyash moved to amend the title to read as follows:

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending the title and section 13 (MCL 460.1013), as amended by 2016 PA 342, and by adding part 8.

The motion prevailed.

The House agreed to the title as amended.

Rep. Aiyash moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.



Rep. St. Germaine, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

HBs 5120-5123 strip control away from local communities concerning the construction of large-scale solar and wind energy projects.

These bills give the unelected Michigan Public Service Commission the sole authority to permit large solar and wind construction. The three-member board is made up of unelected bureaucrats appointed by the governor, and the governor is publicly supporting a plan to add thousands of square miles of new wind and solar farms in rural communities no matter how valuable these contracts may be to certain industries.

Constituents have voiced their concerns about wind and solar projects.

Under House Bill 5120-5123, the MPSC will force the projects on local communities whether they with little regard for residents’ concerns. These unelected commission members could remake our entire electric grid with far-left policy as their goal and the people of Michigan would have no ability to hold them accountable.

For these reasons, I cannot support these bills.”

Rep. Phil Green, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

HBs 5120-5123 strip control away from local communities concerning the construction of large-scale solar and wind energy projects.

These bills give the unelected Michigan Public Service Commission the sole authority to permit large solar and wind construction. The three-member board is made up of unelected bureaucrats appointed by the governor, and the governor is publicly supporting a plan to add thousands of square miles of new wind and solar farms in rural communities.

People throughout the state have turned out in droves to voice their thoughts about wind and solar projects planned in their communities. In many cases, local boards and commissions have put a tremendous amount of work into crafting zoning ordinances and master plans after listening to their residents’ concerns.

Under House Bill 5120-5123, the MPSC will force the projects on local communities with little regard for residents’ concerns. These unelected commission members could remake our entire electric grid with far-left policy as their goal and the people of Michigan would have no ability to hold them accountable.

For these reasons, I cannot support these bills.”

**Second Reading of Bills**

**House Bill No. 5121, entitled**

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.

The bill was read a second time.

Rep. Puri moved to amend the bill as follows:

1. Amend page 3, following line 21, by inserting:

**“(7) A renewable energy project that received special land use approval under section 502 on or after January 1, 2021 must be treated as a prior nonconforming use and a previously granted special land use approval must not be revoked or modified if substantial construction has occurred or if an expenditure equal to 10% of the project construction costs or \$10,000.00, whichever is greater, has been made.”** and renumbering the remaining subsection.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Puri moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

#### **Senate Bill No. 519, entitled**

A bill to provide for the adjustment of transition-impacted workers into new industries; to create the community and worker economic transition office in the department of labor and economic opportunity; to allow the creation of certain advisory committees; to make certain appropriations; and to provide for the powers and duties of certain state governmental officers and entities.

The bill was read a second time.

Rep. Aiyash moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

#### **Senate Bill No. 277, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 36101 and 36104a (MCL 324.36101 and 324.36104a), section 36101 as amended by 2016 PA 265 and section 36104a as added by 1996 PA 233, and by adding sections 36104c and 36104e.

The bill was read a second time.

Rep. Aiyash moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

#### **Senate Bill No. 502, entitled**

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending sections 6a, 6m, and 6t (MCL 460.6a, 460.6m, and 460.6t), sections 6a and 6m as amended and section 6t as added by 2016 PA 341, and by adding section 6aa.

The bill was read a second time.

Rep. Prestin moved to amend the bill as follows:

1. Amend page 2, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:

**“Sec. 1. (1) A commission to be known and designated as the “Michigan public service commission” is hereby created, which shall consist of ~~3~~ **6** members. ~~The Michigan public service commission is created in the department of licensing and regulatory affairs.~~”**

**(2) The commission consists of ~~3-6~~ **6** members, not more than ~~2-3~~ **6** of whom ~~shall be~~ **are** members of the same political party, appointed by the governor with the advice and consent of the senate. **At least 1 member of the commission must be a resident of the Upper Peninsula. In addition to the 1 member who is a resident of the Upper Peninsula, at least 1 member of the commission must be a rate payer who has a residence or business with average yearly energy costs of less than \$100,000.00.**”**



(3) Each member ~~shall of the commission must~~ be a citizen of the United States ~~and of the this~~ state, of Michigan, ~~and no member of said~~ **A member of the** commission shall **not** be pecuniarily interested in any public utility or ~~public service~~ **person** subject to the jurisdiction and control of the commission. During ~~his a member's~~ term ~~no a member of the commission shall not~~ serve as an officer or committee member of any political party organization, ~~or hold any office, or be employed by any other commission, board, department, or institution in this state. No commission~~

(4) **A member of the commission shall not** be retained or employed by any public utility or ~~public service~~ **person** subject to the jurisdiction and control of the commission ~~during the time he while the member is acting as such commissioner, and a member of the commission or~~ for 6 months thereafter, ~~and no after that time.~~

(5) **A member of the commission** ~~who is a member of the bar of the state~~ **State Bar** of Michigan ~~shall not practice his profession law or act as counselor or attorney in any court of this state during the time he is while a member of said the commission. Provided, however, This shall~~

(6) **This section does** not require any ~~commissioner member of the commission~~ to retire from ~~or dissolve any partnership of which he the individual is a member, but said the partnership while he is a member of the commission,~~ shall not engage in public utility practice **while the individual is a member of the commission.** ~~Immediately upon the taking effect of this act, the offices of the present members of the Michigan public service commission are hereby abolished, and the members of the Michigan public service commission as herein created shall be appointed by the governor with the advice and consent of the senate, for terms of 6 years each: Provided, That of the members first appointed, 1 shall be appointed for a term of 2 years, 1 for a term of 4 years, and 1 for a term of 6 years. Upon the expiration of said terms successors shall be appointed with like qualifications and in like manner for terms of 6 years each, and until their successors are appointed and qualified. Vacancies shall be filled in the same manner as is provided for appointment in the first instance.~~

(7) **Members of the commission shall serve for terms of 6 years or until a successor is appointed, whichever is later. If a vacancy occurs on the commission, the governor shall make an appointment for the unexpired term in the same manner as the original appointment."**

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Prestin moved to amend the bill as follows:

1. Amend page 2, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 1. (1) **A commission to be known and designated as the "Michigan public service commission" is hereby created, which shall consist. The Michigan public service commission is created in the department of licensing and regulatory affairs.**

(2) **The commission consists of 3-6 members, not more than 2-3 of whom shall be are members of the same political party, appointed by the governor with the advice and consent of the senate. At least 1 member of the commission must be a resident of the Upper Peninsula.**

(3) Each member ~~shall of the commission must~~ be a citizen of the United States ~~and of the this~~ state, of Michigan, ~~and no member of said~~ **A member of the** commission shall **not** be pecuniarily interested in any public utility or ~~public service~~ **person** subject to the jurisdiction and control of the commission. During ~~his a member's~~ term ~~no a member shall not~~ serve as an officer or committee member of any political party organization, ~~or hold any office, or be employed by any other commission, board, department, or institution in this state. No commission~~

(4) **A member of the commission shall not** be retained or employed by any public utility or ~~public service~~ **person** subject to the jurisdiction and control of the commission ~~during the time he while the member is acting as such commissioner, and a member of the commission or~~ for 6 months thereafter, ~~and no after that time.~~

(5) **A member of the commission** ~~who is a member of the bar of the state~~ **State Bar** of Michigan ~~shall not practice his profession law or act as counselor or attorney in any court of this state during the time he is while a member of said the commission. Provided, however, This shall~~

(6) **This section does** not require any ~~commissioner member of the commission~~ to retire from ~~or dissolve any partnership of which he the individual is a member, but said the partnership while he is a member of the commission,~~ shall not engage in public utility practice **while the individual is a member of the commission.** ~~Immediately upon the taking effect of this act, the offices of the present members of the Michigan public service commission are hereby abolished, and the members of the Michigan public service commission as herein created shall be appointed by the governor with the advice and consent of the senate, for terms of 6 years each: Provided, That of the members first appointed, 1 shall be appointed for a term of 2 years, 1 for a term of 4 years, and 1 for a term of 6 years. Upon the expiration of said terms successors~~



~~shall be appointed with like qualifications and in like manner for terms of 6 years each, and until their successors are appointed and qualified. Vacancies shall be filled in the same manner as is provided for appointment in the first instance.~~

**(7) Members of the commission shall serve for terms of 6 years or until a successor is appointed, whichever is later. If a vacancy occurs on the commission, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.”**

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Jaime Greene moved to amend the bill as follows:

1. Amend page 11, following line 26, by inserting:

**“(15) Beginning on the effective date of the amendatory act that added section 6aa, the commission shall not increase electric rates for public and private schools in this state until January 1, 2040.”** and renumbering the remaining subsections.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Aiyash moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

### **Senate Bill No. 273, entitled**

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” by amending sections 5, 7, 71, 73, 75, 77, 78, 91, and 93 (MCL 460.1005, 460.1007, 460.1071, 460.1073, 460.1075, 460.1077, 460.1078, 460.1091, and 460.1093), sections 5, 7, 71, 73, 75, 77, 91, and 93 as amended and section 78 as added by 2016 PA 342, and by adding sections 72, 80, and 80a; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Aiyash moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

### **House Bill No. 5122, entitled**

A bill to amend 2008 PA 295, entitled “Clean and renewable energy and energy waste reduction act,” (MCL 460.1001 to 460.1211) by amending the title and by adding part 8.

The bill was read a second time.

Rep. Slagh moved to amend the bill as follows:

1. Amend page 3, line 9, after “**parcels.**” by inserting “**An energy facility shall not be located within a state forest.**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Wendzel moved to amend the bill as follows:

1. Amend page 16, line 26, after “**facility.**” by inserting “**This subsection does not apply to a limitation or requirement if, after the issuance of the certificate, the legislative body of the local unit of government adopts a resolution approving the application of the limitation or requirement to the energy facility that is the subject of the certificate.**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Outman moved to amend the bill as follows:

1. Amend page 11, line 27, by striking out all of subdivision (e) and relettering the remaining subdivision.

2. Amend page 12, line 4, by striking out “**(6)(g)**” and inserting “**(6)(e)**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Outman moved to amend the bill as follows:

1. Amend page 11, line 23, by striking out all of subdivision (d) and relettering the remaining subdivisions.

2. Amend page 12, line 4, by striking out “**(6)(g)**” and inserting “**(6)(e)**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Prestin moved to amend the bill as follows:

- 1. Amend page 13, line 23, after “Sec. 227.” by inserting “(1)”.
- 2. Amend page 14, following line 20, by inserting:

“(2) The applicant for a certificate must enter an agreement with the commission and each affected local unit on the size and location of the energy project within that affected local unit.”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Roth moved to amend the bill as follows:

- 1. Amend page 3, line 9, after “parcels.” by inserting “An energy facility shall not be located within 1 mile of a natural river, as defined in section 30501 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.30501.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Skaggs moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

**House Bill No. 5123, entitled**

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.

The bill was read a second time.

Rep. Puri moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

Rep. Aiyash moved that **House Bill No. 5121** be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

**House Bill No. 5121, entitled**

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending section 205 (MCL 125.3205), as amended by 2018 PA 366.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 484**

**Yeas—56**

Aiyash	Edwards	McFall	Scott
Andrews	Farhat	McKinney	Shannon
Arbit	Fitzgerald	Mentzer	Skaggs
Brabec	Glanville	Miller	Snyder
Breen	Grant	Morgan	Steckloff
Brixie	Haadsma	Morse	Stone
Byrnes	Hill	Neeley	Tate
Carter, B.	Hood	O’Neal	Tsernoglou
Carter, T.	Hope	Paiz	Wegela
Churches	Hoskins	Pohutsky	Weiss
Coffia	Koleszar	Price	Whitsett
Coleman	Liberati	Puri	Wilson
Conlin	MacDonell	Rheingans	Witwer
Dievendorf	Martus	Rogers	Young

**Nays—52**

Alexander	DeBoyer	Lightner	Schriver
Aragona	DeSana	Maddock	Schuette
Beeler	Filler	Markkanen	Slagh
BeGole	Fink	Martin	Smit
Beson	Fox	Meerman	St. Germaine

Bezotte	Friske	Mueller	Steele
Bierlein	Green, P.	Neyer	Thompson
Bollin	Greene, J.	Outman	Tisdell
Borton	Hall	Paquette	VanderWall
Bruck	Harris	Posthumus	VanWoerkom
Carra	Hoadley	Prestin	Wendzel
Cavitt	Johnsen	Rigas	Wozniak
DeBoer	Kunse	Schmaltz	Zorn

In The Chair: Pohutsky

The House agreed to the title of the bill.  
 Rep. Aiyash moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. St. Germaine, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

HBs 5120-5123 strip control away from local communities concerning the construction of large-scale solar and wind energy projects.

These bills give the unelected Michigan Public Service Commission the sole authority to permit large solar and wind construction. The three-member board is made up of unelected bureaucrats appointed by the governor, and the governor is publicly supporting a plan to add thousands of square miles of new wind and solar farms in rural communities no matter how valuable these contracts may be to certain industries.

Constituents have voiced their concerns about wind and solar projects.

Under House Bill 5120-5123, the MPSC will force the projects on local communities whether they with little regard for residents’ concerns. These unelected commission members could remake our entire electric grid with far-left policy as their goal and the people of Michigan would have no ability to hold them accountable.

For these reasons, I cannot support these bills.”

Rep. Phil Green, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

HBs 5120-5123 strip control away from local communities concerning the construction of large-scale solar and wind energy projects.

These bills give the unelected Michigan Public Service Commission the sole authority to permit large solar and wind construction. The three-member board is made up of unelected bureaucrats appointed by the governor, and the governor is publicly supporting a plan to add thousands of square miles of new wind and solar farms in rural communities.

People throughout the state have turned out in droves to voice their thoughts about wind and solar projects planned in their communities. In many cases, local boards and commissions have put a tremendous amount of work into crafting zoning ordinances and master plans after listening to their residents’ concerns.

Under House Bill 5120-5123, the MPSC will force the projects on local communities with little regard for residents’ concerns. These unelected commission members could remake our entire electric grid with far-left policy as their goal and the people of Michigan would have no ability to hold them accountable.

For these reasons, I cannot support these bills.”

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Aiyash moved that when the House adjourns today it stand adjourned until Friday, November 3, at 12:01 a.m.

The motion prevailed.

Rep. Friske moved that the House adjourn.  
The motion prevailed, the time being 11:59 p.m.

The Speaker Pro Tempore declared the House adjourned until Friday, November 3, at 12:01 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives