

Act No. 257
Public Acts of 2020
Approved by the Governor*
December 29, 2020

Filed with the Secretary of State
December 29, 2020

EFFECTIVE DATE: December 29, 2020

*Item Vetoes

Sec. 102. CAPITAL OUTLAY

**(2) STATE AGENCY, COMMUNITY COLLEGE, AND UNIVERSITY
PLANNING AUTHORIZATIONS**

Saginaw Valley State University - Brown Hall renovation - for program and planning to be paid for from university resources (estimated total authorized cost \$19,750,000; state share \$12,000,000; university share \$7,750,000)	100
Department of health and human services - new northern satellite psychiatric facility - for program and planning to be paid for from state resources	100

Sec. 103. DEPARTMENT OF HEALTH AND HUMAN SERVICES

(3) MEDICAL SERVICES

Health plan services	\$	(145,364,000)
Health plan services		86,182,000
Healthy Michigan plan		(95,996,000)
Healthy Michigan plan		55,178,000

Sec. 104. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

(2) ONE-TIME APPROPRIATIONS

Michigan unemployment compensation funds	220,000,000
--	-------------

Sec. 107. STATE TRANSPORTATION DEPARTMENT

(2) TRANSPORTATION PLANNING

Planning services	\$	(41,766,500)
Planning services		41,766,500

Sec. 108. DEPARTMENT OF TREASURY

(2) ONE-TIME APPROPRIATIONS

Property tax deferral debt service costs	5,000,000
--	-----------

Sec. 205.
Entire Section.

Sec. 302.
Entire Section.

Sec. 351.
Entire Section.

Sec. 403.
Entire Section.

Sec. 552.
Entire Section.

Sec. 601.
Entire Section.

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Senator Stamas

ENROLLED SENATE BILL No. 748

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies and capital outlay purposes for the fiscal years ending September 30, 2020 and September 30, 2021; 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 2020-2021

Sec. 101. There is appropriated for the various state departments and agencies and capital outlay purposes to supplement appropriations for the fiscal year ending September 30, 2021, from the following funds:

APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 465,072,600
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 465,072,600
Federal revenues:	
Total federal revenues	21,744,600
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 443,328,000
Sec. 102. CAPITAL OUTLAY	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 1,200
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 1,200

Federal revenues:		
Total federal revenues	\$	0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	1,200
(2) STATE AGENCY, COMMUNITY COLLEGE, AND UNIVERSITY PLANNING AUTHORIZATIONS		
Saginaw Valley State University - Brown Hall renovation - for program and planning to be paid for from university resources (estimated total authorized cost \$19,750,000; state share \$12,000,000; university share \$7,750,000)		100
Department of health and human services - new northern satellite psychiatric facility - for program and planning to be paid for from state resources		100
GROSS APPROPRIATION	\$	200
Appropriated from:		
State general fund/general purpose	\$	200
(3) STATE BUILDING AUTHORITY FINANCED CONSTRUCTION AUTHORIZATIONS		
Ferris State University - Center for Virtual Learning (total authorized cost \$29,500,000; state building authority share \$22,124,800; university share \$7,375,000; state general fund/general purpose share \$200)		100
Michigan Technological University - H-STEM Engineering and Health Technology Complex - Phase I (total authorized cost \$44,700,000; state building authority share \$29,699,800; university share \$15,000,000; state general fund/general purpose share \$200)		100
Northern Michigan University - Career Tech and Engineering Technology Facility (total authorized cost \$28,564,000; state building authority share \$19,994,800; university share \$8,569,000; state general fund/general purpose share \$200)		100
Oakland University - South Foundation Hall renovation and expansion (total authorized cost \$40,000,000; state building authority share \$29,999,800; university share \$10,000,000; state general fund/general purpose share \$200)		100
University of Michigan - Ann Arbor - Computer Science and Engineering and School of Information addition (total authorized cost \$145,000,000; state building authority share \$29,999,800; university share \$115,000,000; state general fund/general purpose \$200)		100
Western Michigan University - IF-1 Dunbar Hall renovation (total authorized cost \$42,730,000; state building authority share \$29,999,800; university share \$12,730,000; state general fund/general purpose \$200)		100
Delta College - Electronic Media Broadcasting - A Wing renovations (total authorized cost \$2,810,000; state building authority share \$1,404,800; college share \$1,405,000; state general fund/general purpose \$200)		100
Glen Oaks Community College - campus renovation (total authorized cost \$7,300,000; state building authority share \$3,474,800; college share \$3,825,000; state general fund/general purpose share \$200)		100
Henry Ford Community College - Entrepreneur and Innovation Institute/Technology Building renovation and addition (total authorized cost \$15,600,000; state building authority share \$6,699,800; college share \$8,900,000; state general fund/general purpose share \$200)		100
Macomb Community College - Skilled Trades and Advanced Technology Center (total authorized cost \$44,786,200; state building authority share \$14,846,900; college share \$29,939,100; state general fund/general purpose share \$200)		100
GROSS APPROPRIATION	\$	1,000

Appropriated from:	
State general fund/general purpose	\$ 1,000
Sec. 103. DEPARTMENT OF HEALTH AND HUMAN SERVICES	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 127,962,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 127,962,400
Federal revenues:	
Total federal revenues	18,494,600
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 109,467,800
(2) FAMILY HEALTH SERVICES	
Immunization program	\$ 5,888,400
GROSS APPROPRIATION	\$ 5,888,400
Appropriated from:	
Federal revenues:	
Total other federal revenues	5,888,400
State general fund/general purpose	\$ 0
(3) MEDICAL SERVICES	
Health plan services	\$ (145,364,000)
Health plan services	86,182,000
Healthy Michigan plan	(95,996,000)
Healthy Michigan plan	55,178,000
GROSS APPROPRIATION	\$ (100,000,000)
Appropriated from:	
Federal revenues:	
Total other federal revenues	(75,000,000)
State general fund/general purpose	\$ (25,000,000)
(4) ONE-TIME APPROPRIATIONS	
Coronavirus response activities	\$ 25,883,300
Coronavirus supplies purchasing	15,000,000
Coronavirus vaccine strategy	51,334,700
COVID-19 direct care worker hazard pay adjustment	100,000,000
Long-term care COVID-19 enhancement payments	2,000,000
Medicaid reimbursement for remdesivir	17,856,000
Temporary hospital staffing assistance	10,000,000
GROSS APPROPRIATION	\$ 222,074,000
Appropriated from:	
Federal revenues:	
Total other federal revenues	87,056,200
Coronavirus relief fund	550,000
State general fund/general purpose	\$ 134,467,800
Sec. 104. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 278,500,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 278,500,000
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0

Total other state restricted revenues	\$	0
State general fund/general purpose	\$	278,500,000
(2) ONE-TIME APPROPRIATIONS		
Michigan stages survival grants		3,500,000
Michigan unemployment compensation funds		220,000,000
Small business survival grants		55,000,000
GROSS APPROPRIATION	\$	278,500,000
Appropriated from:		
State general fund/general purpose	\$	278,500,000
Sec. 105. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	2,859,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	2,859,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	2,859,000
(2) ONE-TIME APPROPRIATIONS		
Coronavirus response activities	\$	1,650,000
Coronavirus response activities - MVFA		1,209,000
GROSS APPROPRIATION	\$	2,859,000
Appropriated from:		
State general fund/general purpose	\$	2,859,000
Sec. 106. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	3,250,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	3,250,000
Federal revenues:		
Total federal revenues		3,250,000
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	0
(2) ONE-TIME APPROPRIATIONS		
Coronavirus response activities	\$	3,250,000
GROSS APPROPRIATION	\$	3,250,000
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		3,250,000
State general fund/general purpose	\$	0
Sec. 107. STATE TRANSPORTATION DEPARTMENT		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	0
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	0
Federal revenues:		
Total federal revenues		0

Special revenue funds:		
Total local revenues	\$	0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	0
(2) TRANSPORTATION PLANNING		
Planning services	\$	(41,766,500)
Planning services		41,766,500
GROSS APPROPRIATION	\$	0
Appropriated from:		
Federal revenues:		
Federal aid - transportation program		0
Special revenue funds:		
Comprehensive transportation fund		0
Michigan transportation fund		0
State aeronautics fund		0
State trunkline fund		0
State general fund/general purpose	\$	0
Sec. 108. DEPARTMENT OF TREASURY		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	52,500,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	52,500,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	52,500,000
(2) ONE-TIME APPROPRIATIONS		
Employee assistance fund	\$	45,000,000
Property tax deferral debt service costs		5,000,000
Teacher COVID-19 grants		2,500,000
GROSS APPROPRIATION	\$	52,500,000
Appropriated from:		
State general fund/general purpose	\$	52,500,000

PART 1A

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2019-2020

Sec. 151. There is appropriated for the various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2020, from the following funds:

APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	0
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	0
Federal revenues:		
Total federal revenues		0

Special revenue funds:		
Total local revenues	\$	0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	0
Sec. 152. DEPARTMENT OF TREASURY		
(1) APPROPRIATION SUMMARY		
GROSS APPROPRIATION	\$	0
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	0
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	0
(2) ONE-TIME APPROPRIATIONS		
First responder hazard pay premiums		(40,000,000)
First responder hazard pay premiums		40,000,000
GROSS APPROPRIATION	\$	0
Appropriated from:		
Federal revenues:		
Coronavirus relief fund		0
State general fund/general purpose	\$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2020-2021

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, 2021 is \$443,328,000.00 and total state spending from state sources to be paid to local units of government is \$0.00.

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. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this act, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this act for the particular department, board, commission, office, or institution.

Sec. 204. (1) Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, which provides for a transfer of state general fund revenue into or out of the countercyclical budget and economic stabilization fund, the calculations required by section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, are determined as follows:

	2019	2020	2021
Michigan personal income (millions)	\$502,540	\$513,596	\$503,324
less: transfer payments	105,366	140,870	113,775
Subtotal	\$397,174	\$372,726	\$389,549

Divided by: Detroit Consumer Price Index for 12 months ending December 31	2.353	2.353	2.378
Equals: real adjusted Michigan personal income	\$168,819	\$158,393	\$163,786
Percentage change	N/A	-6.2%	3.4%
Growth rate in excess of 2%?	N/A	0.0%	1.4%
Equals: countercyclical budget and economic stabilization fund pay-in calculation for the fiscal year ending September 30, 2021 (millions)	N/A	NO	NO
Growth rate less than 0%?	N/A	YES	NO
Equals: countercyclical budget and economic stabilization fund pay-out calculation for the fiscal year ending September 30, 2020 (millions)	N/A		\$287.2

(2) Notwithstanding subsection (1), there is appropriated for the fiscal year ending September 30, 2021 from GF/GP revenue for deposit into the countercyclical budget and economic stabilization fund the sum of \$35,000,000.00.

Sec. 205. (1) Any coronavirus relief funds for which expenditures have not been incurred as of December 30, 2020 and any interest earned from coronavirus relief funds are unappropriated and immediately reappropriated for deposit into the unemployment compensation fund established under section 26 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.26, to support costs incurred from March 1, 2020 through December 30, 2020 due to the COVID-19 public health emergency.

(2) Beginning January 15, 2021, the state budget director shall report to the senate and house appropriations committees and senate and house fiscal agencies on a biweekly basis regarding the amounts of money deposited into the unemployment compensation fund established under section 26 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.26, under the authority established in subsection (1).

CAPITAL OUTLAY

Sec. 301. For the state building authority financed construction authorizations in part 1, 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 conveyances of the property to the state building authority, the state building authority acquiring the facilities and leasing them to the state and the educational institutions, or state, as applicable, and the governor and secretary of state executing the leases for and on behalf of the 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 appropriations in part 1 for the department of health and human services, new northern satellite psychiatric facility, shall be considered new planning authorization for a new facility in Chippewa County, located at a former correctional facility.

DEPARTMENT OF EDUCATION

Sec. 325. In addition to the funds appropriated in part 1, the department of education may receive and expend not more than \$10,000,000.00 in federal funds to reimburse eligible child care providers for care provided to school-age children receiving the child care subsidy during the school day, if the children are enrolled in a virtual education program when virtual learning is the only option.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 351. In the establishment of any risk corridor for the fiscal years ending September 30, 2020 and September 30, 2021 for existing contracts between this state and Medicaid health plans, the medical expenses used in the risk corridor shall include covered services and approved in-lieu-of services, benefit expenses including incurred but not yet paid expenses within a time frame developed by the department of health and human

services, as well as health care quality improvement expenses as defined in 42 CFR 438.8(e)(3). In addition, the department of health and human services must include all COVID-19 related expenses, including nonbenefit expenses, as allowable costs in the risk corridor.

Sec. 352. From the funds appropriated in part 1 for coronavirus response activities, the department shall allocate \$22,550,000.00 to be used for the continued testing of vulnerable populations in nursing facilities, adult foster care facilities, and homes for the aged, additional community testing sites, homeless and domestic violence shelters, and rapid or mobile response teams for hospitals and nursing facilities. Not less than \$3,333,000.00 shall be used for jail reimbursement and not less than \$3,400,000.00 shall be used for antigen tests for public and nonpublic school employees.

Sec. 353. From the funds appropriated in part 1 for coronavirus response activities, the department shall use \$3,333,300.00 to reimburse hospitals for retaining COVID-19 positive nursing home residents.

Sec. 354. From the funds appropriated in part 1 for coronavirus supplies purchasing, the department shall allocate not less than \$15,000,000.00 to purchase necessary supplies and equipment to support coronavirus testing and vaccination efforts, including personal protective equipment, test kits, and dry ice.

Sec. 355. From the funds appropriated in part 1 for coronavirus vaccine strategy, the department shall allocate not less than \$48,668,000.00 for establishing sufficient health system capacity to manage the administration of a coronavirus vaccine to all Michigan residents through financial support to local health departments and other health care providers. The department shall use not more than \$2,666,700.00 of the funds appropriated in part 1 for coronavirus vaccine strategy for departmental administrative costs, including, but not limited to, staff and contract support. The funds appropriated in this section shall follow the Michigan COVID-19 vaccination interim prioritization guidance and United States Centers for Disease Control (CDC) prevention recommendations and shall not be used to support a mandatory vaccination program.

Sec. 356. (1) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay, the department shall provide sufficient funding, including any applicable federal match, to increase the wages paid to direct care workers described in subsection (2) by \$2.00 per hour above the rates paid on March 1, 2020 beginning January 1, 2021 through February 28, 2021.

(2) The direct care wage increase shall be provided to direct care workers employed by the department of health and human services, its contractors, and its subcontractors who received a \$2.00 per hour state-funded wage increase beginning in April 2020. The total combined direct care wage increases from the April 2020 direct care wage increase and the wage increase outlined in this section shall be \$2.00 per hour and shall be in effect from April 1, 2020 to February 28, 2021.

(3) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay, a direct care wage increase of \$2.00 per hour shall be provided to direct care workers employed by skilled nursing facilities on the effective date of this act, beginning January 1, 2021 and continuing until February 28, 2021. Funding shall include all costs incurred by the employer, including payroll taxes, due to the \$2.00 per hour increase. As used in this subsection, "direct care worker" means a registered nurse, licensed practical nurse, competency evaluated nursing assistant, or respiratory therapist.

(4) From the funds appropriated in part 1 for COVID-19 direct care worker hazard pay, a direct care wage increase of \$2.00 per hour shall be provided to direct care workers employed by area agencies on aging and its contractors for in-home and respite services on the effective date of this act, beginning January 1, 2021 and continuing until February 28, 2021. Funding shall include all costs incurred by the employer, including payroll taxes, due to the \$2.00 per hour increase.

(5) Contractors and subcontractors receiving funding to support these direct care wage increases shall be required to provide documentation of the wage increases provided pursuant to this section to the department of health and human services.

(6) Any payment enhancement above the hourly rate in effect on March 1, 2020 shall be of no effect in determining any employee's average compensation as provided by any contract or other provision of law.

(7) A direct care worker may elect to not receive the wage increase provided in this section. The election to not receive the wage increase in this section must be made either in writing or electronically. The employer of a direct care worker who has elected to not receive the wage increase in this section must remit back to the state any of the funds authorized by this section based on the number of direct care workers it employs who have elected to not receive the wage increase authorized by this section.

Sec. 357. From the funds appropriated in part 1 for long-term care COVID-19 enhancement payments, the department shall enhance payments to facilities that operate a care and recovery center that is subject to the conditions of medical services administration (MSA) policy bulletin MSA 20-72. Care and recovery centers subject to the conditions of medical services administration policy bulletin MSA 20-72 shall be provided an enhanced payment of \$200.00 per day to be paid beyond any other payments per occupied day of care for a COVID positive resident.

Sec. 358. From the funds appropriated in part 1 for Medicaid reimbursement for remdesivir, the department and Medicaid health plans shall reimburse hospitals up to \$3,100.00 per 5-day treatment to cover the costs of remdesivir when remdesivir is used, in accordance with treatment protocols, for Medicaid patients diagnosed with COVID-19 who are being treated in inpatient hospital settings.

Sec. 359. (1) From the funds appropriated in part 1 for temporary hospital staffing assistance, the department shall contract with a nonprofit hospital trade association to distribute grants to hospitals and health systems. The grants shall be distributed based on criteria that consider the number of staff hours reimbursed for traveling and visiting health providers, expected need of future staffing, and other staffing costs.

(2) No hospital or health system shall receive more than 20% of the funds distributed by the grant program described in subsection (1).

(3) At least 25% of the funds appropriated in this section shall be provided to hospitals that are eligible for rural access payments pursuant to section 1802(2) of article 6 of 2020 PA 166.

Sec. 360. (1) Beginning on January 1, 2021 and lasting for as long as the increase in the state's federal medical assistance percentage (FMAP) authorized under the federal families first coronavirus response act is in effect, the department of health and human services shall provide monthly reports to the senate and house appropriations committees and the state budget director on the following:

(a) The fiscal impact of the enhancement in the FMAP on GF/GP spending in Medicaid during the previous month.

(b) The cumulative benefit to the state in reduced GF/GP costs since the enhanced FMAP was implemented.

(2) The monthly reports on the impact of the enhanced FMAP described in subsection (1) shall be due to the parties described in subsection (1) by the 28th day of the following month.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

Sec. 401. (1) From the funds appropriated in part 1 for Michigan stages survival grants, not more than \$3,500,000.00 shall be used by the Michigan strategic fund to create and operate a Michigan stages survival grant program to provide Michigan stages survival grants to eligible businesses in this state.

(2) The Michigan stages survival grant program shall be used to provide grants to eligible live music and entertainment venues that have realized a significant financial hardship as a result of the COVID-19 emergency. Grant applications shall be accepted, reviewed, and approved by the organization representing independent live music and entertainment venues and the Michigan strategic fund shall distribute the funds based on the recommendation of that organization. The statewide organization representing independent live music and entertainment venues administering the Michigan stages survival grant program may receive up to 2.2% of the amount in part 1 for administration. The Michigan strategic fund shall not utilize any of the funds in this section for administration.

(3) Grants made available to eligible businesses under the program must meet all of the following conditions:

(a) Must not exceed \$40,000.00.

(b) Must be used only for working capital to support payroll expenses, rent, mortgage payments, utility expenses, or costs related to reopening a business.

(c) Must not be awarded to a convention center in a city with a population over 500,000 that was eligible for funds under the state convention facility development act, 1985 PA 106, MCL 207.621 to 207.640.

(4) The Michigan strategic fund must develop and post on the Michigan strategic fund website application, program operation, award, and reporting criteria for the program.

(5) The Michigan strategic fund shall submit a monthly report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that provides a listing of grants awarded in the previous month and the name of the recipient of each grant provided under the program. The Michigan strategic fund shall submit a summary of all grants awarded under the program, by industry, over the course of the current fiscal year by September 30, 2021.

(6) As used in this section:

(a) "Eligible business" means a business that meets all of the following criteria:

(i) Received at least 33% of 2019 gross revenue from the sale of tickets for live music or entertainment events or receives at least 70% of its earned revenue through cover charges or ticket sales, production fees or production reimbursements, nonprofit educational initiatives, or the sale of event beverages, food, or merchandise.

(ii) Certifies that second quarter revenue from April 1 through June 30, 2020 was not greater than 10% of second quarter revenue from April 1 through June 30, 2019.

(iii) A business that is a live venue operator must not have, or be majority owned or controlled by an entity with, any of the following:

(A) Securities listed on a national securities exchange as an issuer.

(B) Venues owned and operated with offices in more than 1 country.

(C) Venues owned and operated in more than 2 states.

(D) Venues employing more than 30 employees, determined on a full-time basis.

(iv) Is a business located in Michigan that was in existence on February 29, 2020.

(b) "Michigan stage survival grant" or "grant" means a Michigan stage survival grant made to an eligible business under this section.

Sec. 402. (1) From the funds appropriated in part 1 for small business survival grants, not more than \$55,000,000.00 shall be used by the Michigan strategic fund to create and operate a small business survival grant program to provide small business survival grants to eligible businesses in this state. The fund in consultation with the 15 local and nonprofit economic development organizations that in the aggregate provide services to all 83 counties and participated in the Michigan small business relief program created at the March 19, 2020 Michigan strategic fund board meeting, shall provide grants to eligible businesses that have realized a significant financial hardship as a result of the COVID-19 emergency. Grant applications shall be accepted, reviewed, and approved by a local or nonprofit economic development organization that previously participated in the Michigan small business relief program created at the March 19, 2020 Michigan strategic fund board meeting, or its designee. The Michigan strategic fund shall distribute the funds on a percentage basis consistent with the small business restart grants distributed in 2020 PA 123 to each of the 15 local and nonprofit economic development organizations. A local or nonprofit economic development organization, or its designee, may retain up to 5% of the amount it receives for awards for administration. The Michigan strategic fund shall not utilize any funds for administration.

(2) Grants made available to eligible businesses under the program must meet all of the following conditions:

(a) Must be made available only to eligible businesses that have 100 or fewer employees.

(b) Must not exceed \$20,000.00 for a business that has been closed or \$15,000.00 for a business that has been partially closed as a result of the gatherings and face mask order.

(c) Must be used only for working capital to support payroll expenses, rent, mortgage payments, utility expenses, and costs related to reopening a business.

(3) Any funds not awarded by January 31, 2021 must revert to the Michigan strategic fund. The Michigan strategic fund must reallocate and redistribute any funds received under this subsection to the 15 local and nonprofit economic development organizations under subsection (1) in a manner determined by the Michigan strategic fund no later than February 28, 2021. Funds redistributed under this subsection must comply with the provisions of the small business survival grant program under this section.

(4) The Michigan strategic fund must develop and post on the Michigan strategic fund website application, program operation, award, and reporting criteria for the program.

(5) The Michigan strategic fund shall submit a monthly report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office that provides a listing of grants awarded in the previous month and the name of the recipient of each grant provided under the program. The Michigan strategic fund shall submit a summary of all grants awarded under the program, by industry, over the course of the current fiscal year by September 30, 2021.

(6) As used in this section:

(a) "Eligible business" means a business that meets all of the following criteria:

(i) Is in an industry that demonstrates it is affected by the gatherings and face mask order.

(ii) Needs working capital to support payroll expenses, rent, mortgage payments, utility expenses, or other similar expenses.

(iii) Demonstrates an income loss as a result of the gatherings and face mask order as determined by the local and nonprofit economic development organization in which an eligible business is located.

(iv) Is not a live music and entertainment venue that is eligible for funds under section 401.

(b) "Gatherings and face mask order" or "order" means the gatherings and face mask order issued by the Michigan department of health and human services on December 7, 2020 taking effect on December 9, 2020 at 12:01 a.m. through December 20, 2020 at 11:59 p.m. and the order taking effect on November 18, 2020 entitled gatherings and face mask order that it rescinded and replaced.

(c) "Small business survival grant" or "grant" means a small business survival grant made to an eligible business under this section.

Sec. 403. (1) After March 1, 2021, from the funds appropriated in part 1 for Michigan unemployment compensation funds, \$220,000,000.00 shall be deposited into the unemployment compensation fund established under section 26 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.26, for the sole purpose of funding an extension in unemployment benefits from 20 to 26 weeks after January 1, 2021 but before April 1, 2021.

(2) If federal funds are available and expenditures are allowable under federal law, expenditures of federal funds under this section shall occur prior to the expenditure of general fund appropriations made for the same purposes in subsection (1). General fund appropriations replaced by federal expenditures authorized under this section shall revert to the general fund.

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Sec. 451. Funds appropriated in part 1 for coronavirus response activities and coronavirus response activities - MVFA shall be allocated by the department for activities including, but not limited to, the following:

- (a) Coronavirus testing.
- (b) Protective measures at the state veterans homes.
- (c) Providing state match funding for National Guard coronavirus response mission.

DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET

Sec. 501. Funds appropriated in part 1 for coronavirus response activities shall be allocated by the department for coronavirus response activities. Funds may be used to support the COVID-19 office of accountability created in Executive Directive No. 2020-5.

Sec. 502. (1) The department shall conduct a pilot program for the purpose of reducing tail spend. The department shall issue a request for proposal for a procurement system that meets the following criteria:

- (a) The system is offered to the state at no cost.
- (b) The system requests bids for all items in an automated way.
- (c) The system tracks warranty information for all purchased items.
- (d) The system automatically updates state inventory management systems at the point of purchase.

(2) Following the successful acquisition of a procurement system that meets the above criteria, the department shall conduct a 12-month pilot program during which the department shall use the procurement system to request bids on all tail spend items. For instances in which the new system produces a lower price than current department system pricing, the department shall use the new system to make the purchase.

Sec. 504. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$150,000,000.00 for federal contingency funds for the purpose of COVID-19 testing and vaccine distribution. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

DEPARTMENT OF TREASURY

Sec. 551. (1) Funds appropriated in part 1 for the employee assistance fund shall be allocated to an employee assistance fund operated by the department. The employee assistance fund shall be used to provide grants of up to \$1,650.00 to individuals who were employed in a workplace affected by gathering restrictions for facilities and who can demonstrate need by certifying all of the following:

(a) The applicant is currently furloughed or laid off or was previously furloughed or laid off or has had employment hours reduced due to the gatherings and face mask order.

(b) The applicant must indicate the percentage of income that has been lost due to the gatherings and face mask order and grants will be provided to reflect the severity of individual losses.

(c) The applicant is a resident of this state.

(d) The applicant has, in good faith, been financially negatively impacted by the gatherings and face mask order.

(2) An application processing entity shall develop the application review and determination process in accordance with subsection (1), shall consult with any individual business sector or statewide association representing Michigan industries impacted by the gatherings and face mask order in developing an application process to provide equitably distributed grants across individual business sectors of the affected employees, and shall provide individual grant recipient information to the department no later than February 28, 2021. The department shall distribute grants to individuals based solely upon information from the application processing entity and no later than 20 days after being provided individual grant recipient information. The department shall not impose restrictions on the application process not included in this section.

(3) The application processing entity shall provide a report to the senate and house appropriations committees, the senate and house fiscal agencies, the state budget office, and the state treasurer by March 31, 2021. At a minimum, the report shall include the number of applications for assistance received, the total number of grant recipients awarded, and the methodology used to determine eligibility of grant recipients.

(4) The department shall provide the application processing entity no less than \$100,000.00 to establish an application review and determination process. After individual grant recipients have been provided to the department, the department shall provide no more than \$500,000.00 to the statewide organization that operated a hospitality relief fund pursuant to section 603 of 2020 PA 123 as reimbursement for costs incurred.

(5) As used in this section:

(a) "Application processing entity" means a statewide organization that operated a hospitality relief fund pursuant to section 603 of 2020 PA 123 representing Michigan restaurants and lodging that existed on April 1, 2020.

(b) "Gatherings and face mask order" or "order" means the gatherings and face mask order issued by the Michigan department of health and human services on December 7, 2020 taking effect on December 9, 2020 at 12:01 a.m. through December 20, 2020 at 11:59 p.m. and the order taking effect on November 18, 2020 entitled gatherings and face mask order which it rescinded and replaced.

(c) "Individual business sector" means sectors as identified by two-digit codes under the North American Industry Classification System (NAICS).

Sec. 552. Funds appropriated in part 1 for property tax deferral debt service costs shall not be expended unless Senate Bill No. 943 of the 100th Legislature is enacted into law. Funds shall be used only for implementation of that bill.

Sec. 553. (1) From the funds appropriated in part 1 for teacher COVID-19 grants, there is allocated for fiscal year 2020-2021 only an amount not to exceed \$2,500,000.00 for equal payments to eligible great start readiness program, head start, special education for individuals age 18-26, and adult education teachers who teach in a public school or nonprofit nonpublic school. Grants made to eligible teachers under this section shall be up to \$500.00 per full-time equated eligible teacher. An eligible teacher that works full-time and is calculated as 1.0 FTE will receive \$500.00 and an eligible teacher whose work time is calculated as less than 1.0 FTE shall receive that portion of the FTE applied to \$500.00. The department may retain up to 1/2 of 1% of the funds allocated under this section for administration of this section.

(2) A teacher eligible for funding under this section must meet all of the following:

(a) Prior to the issuance of Executive Order No. 2020-35, the teacher performed at least 75% of their standard instructional workload in a brick and mortar classroom at a district or nonprofit nonpublic school.

(b) After issuance of Executive Order No. 2020-35, the teacher developed tools and methods to deliver distance learning, take-home packets, or other methods described in the district or nonprofit nonpublic school's continuity of learning plan.

(c) The teacher certifies to the district, in a manner prescribed by the department, that he or she worked additional time spent outside of normal working hours, experienced hazardous conditions, or incurred additional costs related to ensuring students could effectively participate in their school's continuity of learning plan.

(3) If funds allocated under this section are insufficient to award the amount described in subsection (1), the department shall reduce the grant on an equal per full-time and part-time prorated equated teacher basis.

(4) The department shall administer this section in substantially the same manner as it administers section 949p of article 5 of 2020 PA 166 as applicable to the teachers described in this section and shall distribute funds as soon as is feasible.

STATE TRANSPORTATION DEPARTMENT

Sec. 601. The state transportation department shall adopt and transmit to the federal government the recommended changes to the nonradioactive hazardous materials routing designations for the Ambassador Bridge expressed on page 14 of its December 2012 report entitled "Hazardous Materials Routing Synopsis Report Wayne County: Proposed Recommendations".

REPEALER

Sec. 701. Section 210 of article 5 of 2020 PA 166 is repealed.

PART 2A

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2019-2020

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 fiscal year ending September 30, 2020 is \$0.00 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. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this act, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this act for the particular department, board, commission, office, or institution.

DEPARTMENT OF TREASURY

Sec. 1301. (1) From the funds appropriated in part 1A for first responder hazard pay premiums, the department of treasury shall provide grants for the payment or reimbursement of first responder hazard pay premiums provided to first responders who have performed hazardous duty or work involving physical hardship related to COVID-19 as described in this section.

(2) Eligible first responder hazard pay premium payments and reimbursements may be provided for hazard pay premiums for law enforcement officers, firefighters, emergency medical technicians (EMTs), paramedics, 9-1-1 operators, local unit of government corrections officers, airport public safety officers, and eligible personnel associated with ambulance operations licensed under section 20920 of the public health code, 1978 PA 368, MCL 333.20920. Private EMTs and paramedics that contract with municipalities or hospitals are eligible if hazard pay premiums are paid through the applicant. First responder hazard pay premium payments and reimbursements may be made as a lump sum payment or as an hourly rate enhancement. The maximum reimbursement amount shall be \$1,000.00 per eligible employee. Any payment or reimbursement made under this section, whether paid as a lump sum or hourly wage enhancement, shall be of no effect in determining any employee's average compensation as provided by any contract or other provision of law. Eligible hazard pay premiums must be paid to employees by December 29, 2020 to be eligible for payment or reimbursement under this section.

(3) The department of treasury shall make available on its website all forms and information needed for applicants to apply for payments or reimbursements. Applicants will have until September 30, 2020 to apply for a payment or reimbursement. Payments and reimbursements will be made on a first-come, first-served basis, and must be made no later than 45 days after all required information is submitted.

(4) The department of treasury shall award not more than \$5,000,000.00 to any applicant.

(5) The department of treasury shall provide a report to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget office not later than December 1, 2020. The report shall include a list by payment or reimbursement recipient of the date each was approved, the payment or reimbursement amount, and a description of the first responder hazard pay premiums, including the number of first responders covered and type of hazard pay premium covered by the payment or reimbursement.

(6) As used in this section, "applicant" means a city; village; township; county; public airport operator; ambulance operation licensed under section 20920 of the public health code, 1978 PA 368, MCL 333.20920; or a local governmental authority, intergovernmental agency, or organization that employs local public safety or local public health personnel and that was established by a city, village, township, county, or group of these for the primary purpose of providing public safety or public health services.

(7) The unexpended funds appropriated in part 1A for first responder hazard pay premiums 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 for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the work project is to provide a payment or reimbursement of up to \$1,000.00 per eligible first responder for hazardous duty or work involving physical hardship related to COVID-19.

(b) The project will be accomplished by utilizing state employees to provide payments or reimbursements to eligible applicants.

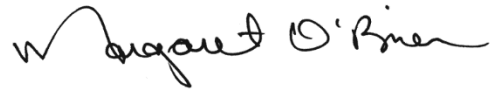
(c) The total estimated cost of the work project is \$40,000,000.00.

(d) The tentative completion date is December 30, 2020.

REPEALER

Sec. 1401. Section 752 of article 14 of 2020 PA 166 is repealed.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor