



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-2768
Fax: (517) 373-1986

Senate Bill 859 (S-1 as passed by the Senate)
Committee: Appropriations

FULL-TIME EQUATED (FTE) CLASSIFIED POSITIONS/FUNDING SOURCE	FY 2017-18 YEAR-TO-DATE*	FY 2018-19 SENATE-PASSED	CHANGES FROM FY 2017-18 YEAR-TO-DATE	
			AMOUNT	PERCENT
FTE Positions	501.0	501.0	0.0	0.0
GROSS	300,043,000	303,483,300	3,440,300	1.1
Less:				
Interdepartmental Grants Received	1,550,600	1,551,300	700	0.0
ADJUSTED GROSS	298,492,400	301,932,000	3,439,600	1.2
Less:				
Federal Funds	6,464,100	5,987,400	(476,700)	(7.4)
Local and Private	6,924,900	7,581,400	656,500	9.5
TOTAL STATE SPENDING	285,103,400	288,363,200	3,259,800	1.1
Less:				
Other State Restricted Funds	92,529,000	92,879,500	350,500	0.4
GENERAL FUND/GENERAL PURPOSE	192,574,400	195,483,700	2,909,300	1.5
PAYMENTS TO LOCALS	147,230,400	147,943,700	713,300	0.5

*As of February 7, 2018.

FY 2017-18 Year-to-Date Gross Appropriation	\$300,043,000
--	----------------------

Changes from FY 2017-18 Year-to-Date:

- Community Dispute Resolution.** The Senate included an additional \$500,000 GF/GP above the Governor's recommendation for a total funding amount of \$2,890,800. 500,000
- New Circuit Court Judge Positions.** The Governor's recommendation included funding for two new circuit court judge positions as per PAs 56 & 57 of 2014; one in Oakland County and one in Macomb County. The bulk of the additional funding came from GF/GP, the remainder (\$13,100) from the Court fee fund. The Senate concurred. 255,300
- Specialty Courts.** The Senate appropriated a small amount of additional GF/GP to specialty courts. Drug Treatment Courts: an additional \$28,700 for a total of \$11,861,700. Mental Health Courts: an additional \$28,700 for a total of \$5,495,500. Veterans Courts: an additional \$96,800 for a total of \$1,033,200. 154,200
- Other Changes.** The recommendation included other service baseline adjustments to align spending authorization with expected revenues and increased rent for the Court of Appeals Troy office. The Senate concurred. 24,500
- Swift and Sure Reduction.** The recommendation included a reduction to the Swift and Sure Sanctions Program. FY 2018-19 funding recommended at \$3,654,200, with \$191,800 less from the Court of appeals filing/motion fees and \$154,000 less from GF/GP. The Senate restored funding with GF/GP to the current year level. (\$4,000,000) 0

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberation.

6. Pretrial Risk Assessment. For FY 2017-18, development of a pretrial risk assessment tool was funded with GF/GP through the State Court Administrative Office line (\$305,700) and through a one-time appropriation line (\$300,000). The FY 2017-18 one-time funding was removed by the Senate (see item #9, below). The Senate also moved the remaining funding of \$305,700 from the State Court Administrative Office line to the FY 2018-19 one-time section.	0
7. GF Replacement with Court Fee Fund. The recommendation included the replacement of \$500,000 of General Fund dollars with increased revenue from the Court Fee Fund in the Justices' and Judges' Compensation section. The Senate concurred.	0
8. Court of Claims Funding Shift. The recommendation included moving administration of the Court of Claims from the State Court Administrative Office line item in Section 102 to the Court of Appeals Operations line item in Section 103. The Senate concurred.	0
9. One-Time Funding removals. The recommendation included the removal of one-time GF/GP funding for the FY 2017-18 expansion of problem solving courts (\$219,300), and pretrial risk assessment (\$300,000). The Senate concurred.	(519,300)
10. Economic Adjustments. Includes \$3,025,600 Gross and \$2,816,800 GF/GP for total economic adjustments, of which an estimated \$164,400 Gross and \$106,100 GF/GP is for legacy retirement costs (pension and retiree health). The Senate concurred.	3,025,600
11. Comparison to Governor's Recommendation. The Senate is \$1,000,000 Gross and \$1,000,000 GF/GP over the Governor.	
Total Changes	\$3,440,300
FY 2018-19 Senate-Passed Gross Appropriation.....	\$303,483,300

Boilerplate Changes from FY 2017-18 Year-to-Date:

1. **Management and Budget Act.** The Governor removed subsection 2, which required expenditures or transfers be approved by an authorized judicial agent. The Senate restored the subsection. (Sec. 202)
2. **Definitions.** The Governor's recommendation removed boilerplate definitions for the following terms: "DOJ", "DOT", "HHS", "SADO", "Title IV-D", and "Title IV-E". The Senate restored the definitions. (Sec. 203)
3. **Legacy costs.** The Governor amended a section to update the anticipated legacy costs for FY 2018-19. The Senate concurred. (Sec. 214)
4. **Communications with the legislature.** The Governor removed a section prohibiting disciplinary action against judicial employees who communicate with the legislature. The Senate retained the section in full. (Sec. 215)
5. **Foster Care.** The Governor removed sections that required a judge to get input from foster parents during a foster care case and explain on the record any changes to a foster care family service plan. The Senate retained the sections in full. (Secs. 216 & 217)
6. **Evaluation of DHHS and TED programs for Swift and Sure participants.** The Governor removed a section requiring the state court administrative office to evaluate DHHS and TED programs available for Swift and Sure participants and to provide guidance to courts participating in Swift and Sure. The Senate retained the section in full. (Sec. 218)
7. **Retention of Reports.** The Governor removed a section requiring the Judicial Branch to retain copies of all reports funded from appropriations in Part 1. The Senate retained the section in full. (Sec. 219)
8. **Judicial Data Warehouse.** The Governor amended a section regarding the public availability of data in the Judicial Data Warehouse. The Senate concurred. (Sec. 304)
9. **Reporting on Restitution and Court Fees.** The Governor removed a section requiring the state court administrative office to report on collected and uncollected restitution and court fees for counties. The Senate retained the section and amended the reporting date. (Sec. 306)

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberation.

10. **Reporting on the Parental Rights Restoration Act.** The Governor removed a section requiring the state court administrative office to report on the implementation of the Parental Rights Restoration Act, 1990 PA 211. The Senate retained the section in full. (Sec. 312)
11. **Pretrial Risk Assessment Tool.** The Recommendation removed a subsection requiring the State Court Administrative Office to report on plans to pilot the Pretrial Risk Assessment Tool and its implementation timeline. The Senate retained the section in full. (Sec. 316)
12. **Assignment of State-owned Vehicles.** The Governor amended a section to allow for the permanent assignment of state-owned vehicles to Justices of the Supreme Court. The Senate retained the section in full. (Sec. 317)
13. **One-Time Appropriations Removals.** The Governor removed one-time appropriation sections for Veterans courts and compliance with *Montgomery v Louisiana*. The Senate agreed to remove section 401, but restored section 402. (Secs. 401 & 402)
14. **Legislative intent.** The Governor removed a section that expressed legislative intent to provide the same appropriations for FY 2018-19 as in FY 2017-18. The Senate retained the section and amended date references. (Sec. 1201)

Date Completed: 5-3-18

Fiscal Analyst: Michael Siracuse