

**HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 540**

A bill to create a Michigan National Guard child care assistance program to provide child care assistance to certain Michigan National Guard members; to provide for the powers and duties of certain state governmental officers and entities; and to authorize the promulgation of rules.

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

1       Sec. 1. This act may be cited as the "Michigan National Guard  
2 child care assistance act".

3       Sec. 2. As used in this act:

4       (a) "Active service" means that term as defined in section 105  
5 of the Michigan military act, 1967 PA 150, MCL 32.505.

6       (b) "Adjutant general" means the adjutant general of this  
7 state.

1 (c) "Eligible member" means a member of the Michigan National  
2 Guard who meets all of the following conditions:

3 (i) Is in active service.

4 (ii) Is not absent without leave or under charges described in  
5 the Michigan code of military justice of 1980, 1980 PA 523, MCL  
6 32.1001 to 32.1148.

7 (iii) Any other criteria determined by the adjutant general  
8 consistent with Michigan National Guard recruiting and retention  
9 requirements.

10 (d) "Fund" means the Michigan National Guard member benefit  
11 fund created in the Michigan National Guard member benefit fund  
12 act.

13 (e) "Program" means the Michigan National Guard child care  
14 assistance program created in section 3.

15 Sec. 3. (1) The Michigan National Guard child care assistance  
16 program is created within the department of military and veterans  
17 affairs.

18 (2) The adjutant general shall administer the program and  
19 prescribe forms and procedures to effectively carry out the  
20 program.

21 (3) An eligible member may apply for child care assistance  
22 from the program. The adjutant general shall approve the  
23 application if there is sufficient money in the fund to cover the  
24 amount of child care assistance applied for, and if either of the  
25 following applies:

26 (a) The eligible member is a single parent.

27 (b) The eligible member's spouse is an eligible member.

28 (4) An eligible member who is approved for child care  
29 assistance shall receive a stipend at a rate established annually

1 by the adjutant general. The adjutant general shall determine the  
2 amount of assistance that may be provided under this subsection in  
3 any fiscal year. The amount of assistance determined by the  
4 adjutant general under this subsection applies to all eligible  
5 members. Assistance shall be provided for not more than 12 hours a  
6 day for weekend drills and annual training, up to a maximum of 39  
7 days each year.

8       Sec. 5. The adjutant general may promulgate rules to implement  
9 this act under the administrative procedures act of 1969, 1969 PA  
10 306, MCL 24.201 to 24.328.

11       Enacting section 1. This act does not take effect unless all  
12 of the following bills of the 103rd Legislature are enacted into  
13 law:

14       (a) Senate Bill No. 542.

15       (b) House Bill No. 4962.