



JUDICIARY – BOILERPLATE

FY 2023-24 CURRENT LAW	FY 2024-25		
	EXECUTIVE	HOUSE	SENATE

Note: Changes in the Executive column represent changes from the initial FY 2023-24 budget. Changes in the House, Senate, and Conference columns represent changes from a revised base document that incorporates the FY 2023-24 budget in addition to non-substantive technical changes agreed on by the House, the Senate, and the Legislative Service Bureau.

GENERAL SECTIONS

State Spending and State Appropriations Paid to Local Units

Sec. 201. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2023-2024 is \$345,370,700.00 and state spending from state sources to be paid to local units of government is \$150,611,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

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SUPREME COURT

Drug treatment courts..... \$9,003,200
 Mental health courts and diversion services..... 5,707,600
 Next generation Michigan court system ... 4,116,000
 State court administrative office..... 200,000
 Swift and sure sanctions program..... 3,350,000
 Veterans courts 1,061,200

JUSTICES’ AND JUDGES’ COMPENSATION

Circuit court judicial salary standardization \$10,105,400
 District court judicial salary standardization10,562,900
 OASI, Social Security1,300,600
 Probate court judges’ state base salaries..... 12,913,900
 Probate court judicial salary standardization4,669,600

TRIAL COURT OPERATIONS

Court equity fund reimbursements..... \$60,815,700
 Drug case-flow program 250,000
 Drunk driving case-flow program..... 3,300,000
 Judicial technology improvement fund..... 4,815,000
 Juror compensation reimbursement..... 6,610,000
 Statewide e-file system 11,830,000

TOTAL..... \$150,611,100

Sec. 10-201. Retains current law; adjusts to reflect appropriations included in the executive bill; updates fiscal years.



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<p>Subjects Appropriations to the Management and Budget Act and Authorizes Transfers</p> <p>Sec. 202. (1) The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.</p> <p>(2) Funds appropriated in part 1 to an entity within the judicial branch must not be expended or transferred to another account without written approval of the authorized agent of the judicial entity. If the authorized agent of the judicial entity notifies the state budget director of its approval of an expenditure or transfer, the state budget director shall immediately make the expenditure or transfer. The authorized judicial entity agent shall be designated by the chief justice of the supreme court.</p>	<p>Sec. 10-202. Retains current law subsection (1); moves subsection (2) to Sec. 214.</p>			
<p>Terms and Acronyms</p> <p>Sec. 203. As used in this part and part 1:</p> <p>(a) "DOJ" means the United States Department of Justice.</p> <p>(b) "DOT" means the United States Department of Transportation.</p> <p>(c) "FTE" means full-time equated.</p> <p>(d) "HHS" means the United States Department of Health and Human Services.</p> <p>(e) "IDG" means interdepartmental grant.</p> <p>(f) "OASI" means old age survivor's insurance.</p> <p>(g) "Title IV-D" means the part of the federal social security act, 42 USC 301 to 1397mm, pertaining to the child support enforcement program.</p> <p>(h) "Title IV-E" means the part of the federal social security act, 42 USC 301 to 1397mm, pertaining to the foster care program.</p>	<p>Sec. 10-203. Retains current law; adjusts acronyms to reflect acronyms included in the executive bill.</p>			
<p>Internet Availability of Required Reports</p> <p>Sec. 204. The reporting requirements of this part must be completed with the approval of, and at the direction of, the supreme court, except as otherwise provided in this part. The judicial branch shall use the internet to fulfill the reporting requirements of this part. This requirement includes transmission of reports via email to the recipients identified for each reporting requirement and includes placement of reports on an internet site.</p>	<p>Sec. 10-204. Retains current law with technical change.</p> <p>Revises "part" to "article".</p>			



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<p>Standard List of Report Recipients</p> <p>Sec. 205. Except as otherwise provided in this part, all reports required under this part must be submitted to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office.</p>	<p>Sec. 10-213. Retains current law with technical change.</p> <p>Revises "subcommittees on judiciary" to "subcommittees on the judiciary budget".</p>			
<p>Buy American</p> <p>Sec. 206. To the extent permissible under section 261 of the management and budget act, 1984 PA 431, MCL 18.1261, all of the following apply:</p> <p>(a) The funds appropriated in part 1 must not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available.</p> <p>(b) Preference must be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality.</p> <p>(c) Preference must be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.</p>	<p>Sec. 10-205. Retains current law.</p>			



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<p>Out-of-State Travel</p> <p>Sec. 207. Consistent with section 217 of the management and budget act, 1984 PA 431, MCL 18.1217, the state court administrative office shall prepare a report on out-of-state travel not later than January 1. The travel report shall be a listing of all travel by judicial branch employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the budget for the judicial branch. The report must be submitted to the senate and house appropriations committees and to the report recipients required in section 205 of this part. The report must include the following information:</p> <p>(a) The dates of each travel occurrence.</p> <p>(b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.</p>	<p>Sec. 10-207. Revises current law.</p> <p>Strikes reference to section 217 of the Management and Budget Act because the judicial branch is not a "state agency" as referenced in section 217.</p> <p>Revises "the budget for the judicial branch" to "judicial branch's budget".</p> <p>Adds "total" after "The" in subsection (b).</p>			
<p>General Fund Lapses</p> <p>Sec. 208. Not later than December 15, the state budget office shall prepare and transmit a report that provides estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report must summarize the projected year-end general fund/general purpose appropriation lapses by major program or program areas. The report must be transmitted to the chairpersons of the senate and house appropriations committees and to the report recipients required in section 205 of this part.</p>	<p>Sec. 10-209. Revises current law.</p> <p>Strikes "chairpersons of the" so the report is submitted to all members of both committees.</p>			



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	<p>NEW LANGUAGE Sec. 10-210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$2,500,000.00 from federal sources should federal revenue become available. (2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$2,500,000.00 from state restricted sources should state restricted revenue become available. (3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 from private sources should private revenue become available.</p>			
<p><i>Transparency Website</i></p> <p>Sec. 209. From the funds appropriated in part 1, the judicial branch shall maintain a searchable website accessible by the public at no cost that includes all expenditures made by the judicial branch within a fiscal year. The posting must include the purpose for which each expenditure is made. The judicial branch shall not provide financial information on its website under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that financial information.</p>	<p>Strikes current law.</p>			



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<p><i>State Restricted Fund Balances, Revenues, and Expenditures</i></p> <p>Sec. 210. Within 14 days after the release of the executive budget recommendation, the judicial branch shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees and the report recipients required in section 205 of this part with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the prior 2 fiscal years.</p>	Strikes current law.			
<p><i>Website for Performance Information</i></p> <p>Sec. 211. The judiciary shall maintain, on a publicly accessible website, information that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the judiciary's performance.</p>	Strikes current law.			
<p><i>Disciplinary Action Against State Employees – UNENFORCEABLE</i></p> <p>Sec. 212. The judicial branch shall not take disciplinary action against an employee for communicating with a member of the legislature or the member of the legislature's staff unless the communication is prohibited by law and the judicial branch is exercising its authority as provided by law.</p>	Strikes current law.			
<p><i>Guidelines for Receipt and Retention of Required Reports</i></p> <p>Sec. 213. The judicial branch shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The judicial branch may electronically retain copies of reports unless otherwise required by federal and state guidelines.</p>	Strikes current law.			
<p><i>Supreme Court Approval of Expenditures</i></p> <p>Sec. 214. Funds appropriated within the judicial branch must not be expended by any component within the judicial branch without the approval of the supreme court.</p>	Sec. 10-214. Retains current law; moves subsection (2) from Sec. 10-202 to this section.			



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<p><i>Linking Swift and Sure Sanctions Program to DHHS, LEO, and MDOC</i></p> <p>Sec. 215. From the funds appropriated in part 1, the state court administrative office may identify programs, within the department of health and human services, the department of labor and economic opportunity, and the department of corrections, that have programmatic connections with the participants in the swift and sure sanctions program. The purpose of this relationship is to leverage collaborations and to determine avenues of success for offenders who are eligible for state-provided programs. The state court administrative office shall provide guidance to courts participating in the swift and sure sanctions program, under the probation swift and sure sanctions act, chapter XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8, regarding the available department of health and human services, department of labor and economic opportunity, and department of corrections programming.</p>	Strikes current law.			
<p><u>JUDICIAL BRANCH</u></p> <p><i>Court of Claims</i></p> <p>Sec. 301. Of the amount appropriated in part 1 for the judicial branch, \$711,900.00 is allocated for circuit court reimbursement under section 3 of 1978 PA 16, MCL 800.453, and for costs associated with the court of claims.</p>	Sec. 10-301. Retains current law.			
<p><i>Request for Data from Judicial Data Warehouse</i></p> <p>Sec. 302. A member of the legislature may request a report or data from the data collected in the judicial data warehouse. The report must be made available to the public upon request, unless disclosure is prohibited by court order or state or federal law. Any data provided under this section must be public and nonidentifying information.</p>	Sec. 10-302. Retains current law.			



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<p><i>Community Dispute Resolution</i></p> <p>Sec. 303. From the funds appropriated in part 1 for community dispute resolution, community dispute resolution centers shall provide dispute resolution services specified in the community dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, and shall help to reduce suspensions and truancy, and improve school climate. Funding appropriated in part 1 for community dispute resolution may be used to develop or expand juvenile diversion services in cooperation with local prosecutors. Participation in the dispute resolution processes is voluntary for all parties.</p>	<p>Sec. 10-303. Retains current law.</p>			
<p><i>Funding for Recommendations of Mental Health Diversion Council</i></p> <p>Sec. 304. From the funds appropriated in part 1 for mental health courts and diversion services, \$1,730,000.00 is intended to address the recommendations of the mental health diversion council.</p>	<p>Consolidates this section with Secs. 306 and 307 to reflect recommendation for a single line item for problem solving courts.</p>			
<p><i>Sufficient Funding for Judges' Compensation</i></p> <p>Sec. 305. If sufficient funds are not available from the court fee fund to pay judges' compensation, the difference between the appropriated amount from that fund for judges' compensation and the actual amount available after the amount appropriated for trial court reimbursement is made is appropriated from the state general fund for judges' compensation. If an appropriation is made under this section, the state court administrative office shall issue a report within 14 days of the appropriation to the senate and house standing committees on appropriations and to the report recipients required in section 205 of this part.</p>	<p>Sec. 10-305. Retains current law.</p>			



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<p>Report on Problem-Solving Courts</p> <p>Sec. 306. By April 1, the state court administrative office shall provide a report on drug treatment, mental health, and veterans court programs in this state. The report must include information on the number of each type of program that has been established, the number of program participants in each jurisdiction, the impact of the programs on offender criminal involvement and recidivism, and an accounting of prior year expenditures, including grant amounts requested by the courts, grant amounts awarded to the courts, and grant amounts expended by the courts.</p>	<p>Sec. 10-306. Consolidates Secs. 304, 306, and 307 into one section to reflect recommendation for a single line item for problem solving courts.</p>			
<p>Drug Treatment Courts</p> <p>Sec. 307. (1) The funds appropriated in part 1 for drug treatment courts must be administered by the state court administrative office to operate drug treatment court programs. A drug treatment court shall be responsible for handling cases involving substance abusing nonviolent offenders through comprehensive supervision, testing, treatment services, and immediate sanctions and incentives. A drug treatment court shall use all available county and state personnel involved in the disposition of cases, including, but not limited to, parole and probation agents, prosecuting attorneys, defense attorneys, and community corrections providers. The funds may be used in connection with other federal, state, and local funding sources. (2) From the funds appropriated in part 1, the chief justice shall allocate sufficient funds for the Michigan judicial institute to provide in-state training for those identified in subsection (1), including training for new drug treatment court judges. (3) For drug treatment court grants, consideration for priority may be given to those courts where higher instances of substance abuse cases are filed. (4) The judiciary shall receive \$1,500,000.00 in Byrne formula grant funding as an interdepartmental grant from the department of state police to be used for expansion of drug treatment courts, to assist in avoiding prison bed space growth for nonviolent offenders in collaboration with the department of corrections.</p>	<p>Consolidates this section with Secs. 304 and 306 to reflect recommendation for a single line item for problem solving courts.</p>			



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<p>Swift and Sure Sanctions Program</p> <p>Sec. 308. (1) From the funds appropriated in part 1 for the swift and sure sanctions program, the state court administrative office shall administer a program to distribute grants to qualifying courts in accordance with the objectives and requirements of the probation swift and sure sanctions act, chapter XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8. Of the funds designated for the program, not more than \$150,000.00 is available to the state court administrative office to pay for employee costs associated with the administration of the program funds. Of the funds designated for the program, \$500,000.00 is reserved for programs in counties that had more than 325 individuals sentenced to prison in the previous calendar year. Courts interested in participating in the swift and sure sanctions program may apply to the state court administrative office for a portion of the funds appropriated in part 1 under this section.</p> <p>(2) By April 1, the state court administrative office, in cooperation with the department of corrections, shall provide a report on the swift and sure sanctions program that includes all of the following:</p> <p>(a) The number of offenders who participate in the program.</p> <p>(b) The criminal history of offenders who participate in the program.</p> <p>(c) The recidivism rate of offenders who participate in the program, including the rate of return to jail, prison, or both.</p> <p>(d) A detailed description of the establishment and parameters of the program.</p> <p>(e) A list of courts participating in the program.</p> <p>(f) An accounting of prior year expenditures, including grant amounts requested by the courts, grant amounts awarded to the courts, and grant amounts expended by the courts.</p>	<p>Sec. 10-308. Retains current law.</p>			



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<p><i>Prescription Compliance Through Oral Fluid Testing Program</i></p> <p>Sec. 309. From the funds appropriated in part 1, the state court administrative office shall continue the prescription compliance through oral fluid testing program and submit a report on the program by April 1. The report must include, but not be limited to, information on the number of programs established, the number of program participants in each jurisdiction, program testing and results, program treatment, and program outcomes, including the rearrest rate of participants while participating in the program.</p>	Strikes current law.			
<p><i>Legal Self-Help Website</i></p> <p>Sec. 310. From the funds appropriated in part 1, the judicial branch shall support a statewide legal self-help internet website and local nonprofit self-help centers that use the statewide website to provide assistance to individuals representing themselves in civil legal proceedings. The state court administrative office shall summarize the costs of maintaining the website, provide statistics on the number of people visiting the website, and provide information on content usage, form completion, and user feedback by March 1 for the preceding fiscal year.</p>	Sec. 10-310. Retains current law.			
<p><i>Status of Statewide Judicial Case Management System</i></p> <p>Sec. 311. From the funds appropriated in part 1, the state court administrative office shall submit a report on the statewide judicial case management system on March 1. The report must provide a status update on development and implementation of the statewide judicial case management system and must include all appropriation and expenditure data for the previous and current fiscal years.</p>	<p>Sec. 10-311. Retains current law with technical change.</p> <p>Strikes "From the funds appropriated in part 1,".</p>			



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<p>Allocation of Appropriation for Statewide Case Management System</p> <p>Sec. 312. From the funds appropriated in part 1 for judicial information systems, the following allocations must be made: (a) Not more than \$6,500,000.00 to offset local user fee revenue that was previously paid by trial courts that have already transitioned to the new statewide judicial case management system. (b) \$5,399,100.00 to support staff and other operating costs as trial courts continue to transition to the new statewide judicial case management system</p>	Strikes current law.			
	<p>NEW LANGUAGE Sec. 10-312. The state court administrative office shall not impose or collect a local user fee on trial courts that are using the statewide judicial case management system.</p>			
<p>Authorization for SADO to Receive and Expend Federal Grant Funding</p> <p>Sec. 313. (1) If Byrne formula grant funding is awarded to the state appellate defender office in excess of the amount appropriated in part 1, the state appellate defender office may receive and expend Byrne formula grant funds in an amount not to exceed \$250,000.00 as an interdepartmental grant from the department of state police. (2) If the state appellate defender office receives federal grant funding from the United States Department of Justice in excess of the amount appropriated in part 1, the state appellate defender office may receive and expend grant funds in an amount not to exceed \$300,000.00.</p>	Sec. 10-313. Retains current law.			



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<p>Medication-Assisted Treatment Program</p> <p>Sec. 314. (1) From the funds appropriated in part 1 for drug treatment courts, the judiciary shall maintain a medication-assisted treatment program to provide treatment for opioid-addicted and alcohol-addicted individuals who are referred to and voluntarily participate in the medication-assisted treatment program.</p> <p>(2) By March 1, the judiciary shall report on the medication-assisted treatment program. The report must include itemized spending by court, the number of participants, and statistics that indicate average program participation duration and success rates.</p> <p>(3) The goal of the medication-assisted treatment program is for participants to be free of narcotic addiction prior to ending participation in the program.</p>	Strikes current law.			
<p>Compliance with Court Decisions – Resentencing of Juvenile Lifers</p> <p>Sec. 315. (1) From the funds appropriated in part 1, the state appellate defender office shall ensure this state's compliance with <i>Montgomery v Louisiana</i>, 577 US 190 (2016), <i>People v Parks</i>, ___Mich___(2022), <i>People v Stovall</i>, ___Mich___(2022), and <i>People v Poole</i>, ___Mich___(2022). The purpose of the program is to ensure competent, resourced, and supervised counsel in cases involving resentencing of individuals serving a life sentence for an offense committed when they were 18 years of age or younger. Representation by the state appellate defender office will create opportunities for release and successful return to the community, saving prison costs for the state.</p> <p>(2) The state appellate defender office shall submit a report by December 31 on the number of cases investigated and prepared by the state appellate defender office. The report must include a calculation of the hours spent and the incremental costs associated with investigating and conducting a robust examination of each case, with particular emphasis on those costs that may have been avoided after the cases have reached a disposition.</p>	Sec. 10-315. Retains current law; updates all legal citations.			



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<p><i>MAACS Roster Attorney Compensation Grants</i></p> <p>Sec. 316. From the funds appropriated in part 1 for Michigan appellate assigned counsel system roster attorney compensation grants, the Michigan appellate assigned counsel system shall administer and provide grants to counties to provide reimbursement of approximately 1/2 of the compensation provided to public defenders appointed as appellate defense counsel under the appellate defender act, 1978 PA 620, MCL 780.711 to 780.719. Counties shall be eligible for grants under this section if the compensation paid to appointed appellate defense counsel is consistent with rates established under the Michigan indigent defense commission act, 2013 PA 93, MCL 780.981 to 780.1003, under payment policies established by the Michigan appellate assigned counsel system.</p>	<p>Sec. 10-316. Retains current law.</p>			
<p><u>ONE-TIME APPROPRIATIONS</u></p> <p><i>Expungement Initiative</i></p> <p>Sec. 401. Funds appropriated in part 1 for expungement initiative must be allocated as follows: (a) \$650,000.00 must be allocated to support a nonprofit legal aid organization located in a city with a population greater than 600,000 according to the most recent federal decennial census with providing expungement services. (b) \$50,000.00 must be allocated to support a county with a population between 115,000 and 125,000 according to the most recent federal decennial census with providing legal aid services.</p>	<p>Strikes current law.</p>			



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<p><i>Court Administration Bench Book</i></p> <p>Sec. 402. The unexpended funds appropriated in part 1 for judicial institute 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 expenditures under this section 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:</p> <p>(a) The purpose of the project is to develop and maintain a court administration bench book.</p> <p>(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.</p> <p>(c) The total estimated cost of the project is \$300,000.00.</p> <p>(d) The tentative completion date is September 30, 2026.</p>	Strikes current law.			
<p><i>Michigan Statewide Court Data Transparency Project</i></p> <p>Sec. 403. The unexpended funds appropriated in part 1 for Michigan statewide court data transparency project 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 expenditures under this section 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:</p> <p>(a) The purpose of the project is to collect and analyze court data, publish court data in a publicly accessible data portal, and develop data-driven criminal justice policies and goals.</p> <p>(b) The project will be accomplished by utilizing state employees, contracts with vendors, or both.</p> <p>(c) The total estimated cost of the project is \$4,500,000.00.</p> <p>(d) The tentative completion date is September 30, 2028.</p>	Strikes current law.			