



OFFICE OF THE CHIEF COMPLIANCE OFFICER

MISSION STATEMENT

The Office of the Chief Compliance Officer was created as an autonomous agency within the Michigan Strategic Fund by the legislature in 2005. The primary function of the Office of the Chief Compliance Officer is to protect the state's assets consistent with the requirements of state and federal law by assisting the Michigan Strategic Fund Board with the creation, implementation, monitoring, and enforcement of policies and procedures to prevent or detect illegal, unethical, or improper conduct of Michigan Strategic Fund board members, or employees and agents of the Michigan Strategic Fund board, and correct such violations promptly. This assistance includes making recommendations to the MSF board and employees regarding the appropriate evaluation, investigation, and resolution of issues and concerns regarding compliance with internal policies and procedures and with applicable state and federal law.

ORGANIZATIONAL STRUCTURE

The Office of the Chief Compliance Officer (OCCO) was created as an autonomous entity within the Michigan Strategic Fund (MSF) by 2005 Public Act 225, MCL 125.2088i, on November 21, 2005. The chief compliance officer (CCO) is the executive head of the OCCO but is appointed by and reports directly to the state administrative board. The CCO is independent from, and does not fall under the authority of, the Department of Labor and Economic Opportunity, the MSF, or the Michigan Economic Development Corporation (MEDC).

CHIEF COMPLIANCE OFFICER

Kevin Francart was initially appointed as the CCO on November 10, 2013. Prior to being appointed as the chief compliance officer, Mr. Francart served as the deputy director and general counsel of the Michigan Land Bank Fast Track Authority, and as an assistant attorney general with the Michigan Department of Attorney General. Mr. Francart graduated cum laude from Thomas M. Colley Law School in 2001. Mr. Francart was a

commissioned officer in the U.S. Army Military Police Corps. Mr. Francart is a certified fraud examiner and a certified compliance and ethics professional.

REPORTS

The chief compliance officer reports quarterly to the MSF board and the state administrative board regarding compliance with internal policies and procedures and applicable state and federal law. The CCO reports annually to the governor and Legislature evaluating compliance with internal policies and procedures and applicable state and federal law, explaining any compliance matters that arose during the previous year, and suggests revisions to agency policies and procedures.

ANNUAL REPORTS:

The annual reports of the Office of the Chief Compliance Officer can be read [here](#).

RESPONSIBILITIES

The CCO has the responsibilities set forth in the Michigan Strategic Fund Act. In particular, the chief compliance officer:

- Assists the MSF board with the creation, implementation, monitoring, and enforcement of policies and procedures to prevent, detect, and correct, illegal, unethical, or improper conduct on the part of its board members, employees, or agents in carrying out their duties under the Act
- Assists employees and agents of the MSF board to ensure that they are in compliance with internal policies and procedures and with applicable state and federal law.
- Makes recommendations to the MSF board and employees of the MSF board regarding the appropriate evaluation, investigation, and resolution of issues and concerns regarding compliance with internal policies and procedures and with applicable state and federal law.



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- Assists in the establishment of policies and procedures to ensure that money expended for grants, loans, or other economic assistance under sections 88d, 88e, 88f, 88g, 88k, 88q, and 88r and Chapter 8C is not used for: the provision of money to a person who has been convicted of a criminal offense incident to the application for or performance of a state contract or subcontract; or the provision of money to a person who has been convicted of a criminal offense, or held liable in a civil proceeding, that negatively reflects on the person's business integrity, based on a finding of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, violation of state or federal antitrust statutes, or for any additional findings as determined by the MSF board, pursuant to MCL 125.2088c.
- Reports quarterly to the MSF board and the state administrative board regarding compliance with internal policies and procedures and with applicable state and federal law.
- Prepares a written annual report to the governor and Legislature that evaluates compliance with internal policies and procedures and with applicable state and federal law, explains any compliance matters that arose during the previous year, and suggests revisions to agency policies and procedures.
- Contacts persons receiving awards, investments, grants, and loans under the Act, to the extent necessary to carry out responsibilities under Chapter 8A, MCL 125.2088–MCL 125.2088r.
- Determines if a person appointed or designated to certain review committees reviewing proposals and applications have a conflict of interest with any potential respondents or applicants.
- Review and evaluate compliance with the site visit guidelines required under MCL 125.2009(14).
- Approves certain transactions under the Michigan film and digital media investment loan program pursuant to MCL 125.2088d.