



# SENATE BILL No. 1161

May 19, 1994, Introduced by Senator VAN REGENMORTER and  
referred to the Committee on Judiciary

A bill to amend section 2552 of Act No 236 of the Public  
Acts of 1961, entitled as amended  
"Revised judicature act of 1961,"  
being section 600 2552 of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 2552 of Act No 236 of the Public Acts  
2 of 1961, being section 600 2552 of the Michigan Compiled Laws, is  
3 amended to read as follows

4 Sec 2552 (1) ~~Witnesses shall receive for attending~~  
5 EXCEPT AS PROVIDED IN SUBSECTIONS (3) AND (4), A WITNESS SHALL  
6 RECEIVE COMPENSATION AND EXPENSES FOR DOING ANY OF THE FOLLOWING  
7 IN THE APPLICABLE AMOUNT OR AMOUNTS DESCRIBED IN SUBSECTION (2)

8 (A) ATTENDING in any suit or proceeding pending in a court  
9 of record ~~—, \$12-00—~~

1 (B) ATTENDING BEFORE A PERSON AUTHORIZED TO HOLD INQUESTS ON  
2 THE VIEW OF DEAD BODIES

3 (C) ATTENDING BEFORE AN OFFICER, PERSON, OR BOARD AUTHORIZED  
4 TO TAKE THE EXAMINATION OF WITNESSES

5 (2) A WITNESS DESCRIBED IN SUBSECTION (1) SHALL RECEIVE COM-  
6 PENSATION AND EXPENSES AS FOLLOWS

7 (A) A WITNESS IN A COURT OF RECORD SHALL RECEIVE PAYMENT OF  
8 EITHER OF THE FOLLOWING

9 (1) TWELVE DOLLARS for each day and \$6 00 for each half day  
10 ~~, or a witness may be paid for his loss of working time, but~~  
11 ~~not~~ OF ATTENDANCE

12 (11) NOT more than \$15 00 for HIS OR HER LOST WORKING TIME  
13 each day ~~shall be taxable as costs as his witness fee~~  
14 ~~Witnesses shall receive for traveling at the rate of 10 cents per~~  
15 ~~mile in coming to the place of attendance and returning there~~  
16 ~~from to be estimated from the residence of such witness, if~~  
17 ~~within this state or from the boundary line of this state which~~  
18 ~~such witness passed in coming, if his residence is out of the~~  
19 ~~state~~

20 (B) A WITNESS DESCRIBED IN SUBSECTION (1) (B) OR (C) SHALL  
21 RECEIVE \$12 00 FOR EACH DAY AND \$6 00 FOR EACH HALF DAY OF  
22 ATTENDANCE

23 (C) IF A WITNESS ATTENDING FOR ANY PURPOSE DESCRIBED IN SUB-  
24 SECTION (1) IS A STATE RESIDENT, HE OR SHE SHALL RECEIVE COMPEN-  
25 SATION FOR ROUND TRIP TRAVEL FROM HIS OR HER RESIDENCE TO THE  
26 PLACE OF ATTENDANCE AT THE RATE OF 10 CENTS PER MILE

1 (D) IF A WITNESS ATTENDING FOR ANY PURPOSE DESCRIBED IN  
2 SUBSECTION (1) IS NOT A STATE RESIDENT HE OR SHE SHALL RECEIVE  
3 COMPENSATION FOR ROUND TRIP TRAVEL FROM THE BOUNDARY LINE OF THIS  
4 STATE AT THE POINT AT WHICH HE OR SHE ENTERED THE STATE TO THE  
5 PLACE OF ATTENDANCE

6 (3) ~~(2) No~~ AN attorney ~~or counsel~~ in any cause in which  
7 he OR SHE may be interested as attorney ~~or counsel~~, shall ~~be~~  
8 ~~allowed~~ NOT RECEIVE any fee OR COSTS UNDER THIS SECTION for  
9 attending as a witness in ~~such~~ THAT case

10 ~~(3) Witnesses shall receive for attending before any person~~  
11 ~~authorized to hold inquests on the view of dead bodies, or before~~  
12 ~~any officer, person, or board authorized to take the examination~~  
13 ~~of witnesses, \$12 00 for each day's attendance and \$6 00 for each~~  
14 ~~half day for traveling in such case, 10 cents per mile in coming~~  
15 ~~to the place of attendance and returning therefrom to be esti-~~  
16 ~~mated from the residence of such witness if within this state~~  
17 ~~or from the boundary line of this state, which such witness~~  
18 ~~passed in coming, if his residence is out of the state~~

19 (4) A PARTY TO A CIVIL PROCEEDING WHO COMPELS THE APPEARANCE  
20 OF A PEACE OFFICER AT THAT PROCEEDING UNDER A SUBPOENA OR COURT  
21 ORDER SHALL PAY TO THE PEACE OFFICER'S EMPLOYER THE ACTUAL WAGES  
22 EARNED BY THAT PEACE OFFICER FOR THE PERIOD OF HIS OR HER  
23 ATTENDANCE IF EACH OF THE FOLLOWING CONDITIONS IS MET

24 (A) THE PEACE OFFICER'S ATTENDANCE RELATES TO AN EVENT HE OR  
25 SHE WITNESSED OR TOOK PART IN WHILE PERFORMING HIS OR HER DUTIES  
26 AS A PEACE OFFICER

1 (B) THE PEACE OFFICER'S ATTENDANCE OCCURS DURING A PERIOD OF  
2 TIME IN WHICH HE OR SHE WOULD OTHERWISE BE PERFORMING HIS OR HER  
3 DUTIES AS A PEACE OFFICER

4 (5) AS USED IN THIS SECTION, "PEACE OFFICER" MEANS ANY OF  
5 THE FOLLOWING EMPLOYED BY THE STATE OR BY A CITY, VILLAGE, TOWN-  
6 SHIP, OR COUNTY

7 (A) A SHERIFF OR SHERIFF'S DEPUTY

8 (B) A VILLAGE OR TOWNSHIP MARSHAL

9 (C) AN OFFICER OF THE MICHIGAN STATE POLICE

10 (D) AN OFFICER WHO IS TRAINED AND CERTIFIED PURSUANT TO THE  
11 MICHIGAN LAW ENFORCEMENT OFFICERS TRAINING COUNCIL ACT OF 1965,  
12 ACT NO 203 OF THE PUBLIC ACTS OF 1965, BEING SECTIONS 28 601 TO  
13 28 616 OF THE MICHIGAN COMPILED LAWS