



HOUSE BILL No. 6024

September 10, 1996, Introduced by Rep. Nye and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 304 of Act No. 234 of the Public Acts of 1992, entitled

"The judges retirement act of 1992,"

being section 38.2304 of the Michigan Compiled Laws; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 304 of Act No. 234 of the Public Acts of
2 1992, being section 38.2304 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 304. (1) Except as provided in subsection (4), the
5 retirement system shall transmit all court fees received by the
6 executive secretary and all late fees and interest payments
7 received under this section to the state treasurer for deposit in
8 the reserve for employer contributions.

1 (2) The retirement board may periodically establish a late
2 fee and interest rate for all court fees that are not submitted
3 to the executive secretary as prescribed in subsection (3). The
4 retirement board shall establish a late fee of NOT LESS THAN
5 \$50.00 ~~or more~~ and an interest rate of NOT LESS THAN 12% ~~or~~
6 ~~more~~ per year for a late transmittal of court fees.

7 (3) If the county treasurer, clerk of the circuit court, or
8 clerk of the district court fails to transmit to the executive
9 secretary all court fees by the twentieth day of the month fol-
10 lowing the month in which ~~they~~ THE COURT FEES are collected
11 under the revised judicature act, the retirement system shall
12 assess a late fee for each late transmittal and an interest pay-
13 ment for each day the transmittal is late. Upon written notice
14 from the executive secretary to the director of the supreme court
15 finance office, the state treasurer shall withhold payment of the
16 amount due under this section for late court fees, late fees, and
17 interest payments from the salary standardization payment payable
18 to a county or district control unit that fails to make timely
19 court fee transmittals as required by this section.

20 (4) ~~When~~ IF the retirement system determines that the
21 amount of court fees deposited into the reserve for employer con-
22 tributions under subsection (1) equals the amount needed in addi-
23 tion to other publicly financed contributions to sustain the
24 required level of publicly financed contributions, based upon the
25 most recent actuarial valuation available at the beginning of the
26 applicable fiscal year, the executive secretary shall transmit to
27 the state treasurer the remainder of the court fees received

1 during the fiscal year for deposit into the court ~~fee~~ EQUITY
2 fund created by section ~~247~~ 151B OF THE REVISED JUDICATURE ACT,
3 BEING SECTION 600.151B OF THE MICHIGAN COMPILED LAWS. ~~This sub-~~
4 ~~section applies unless the department receives notification from~~
5 ~~the United States internal revenue service that this subsection~~
6 ~~will cause the retirement system to be disqualified for tax pur-~~
7 ~~poses under the internal revenue code.~~

8 Section 2. Section 217 of Act No. 234 of the Public Acts of
9 1992, being section 38.2217 of the Michigan Compiled Laws, is
10 repealed.

11 Section 3. This amendatory act shall take effect October 1,
12 1996.