



SENATE BILL No. 421

March 21, 1995, 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,"
as amended by Act No. 154 of the Public Acts of 1994, 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, as amended by Act No. 154 of the Public Acts of 1994,
3 being section 600.2552 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 2552. (1) A witness who attends any action or proceed-
6 ing pending in a court of record shall be paid a witness fee of
7 \$12.00 for each day and \$6.00 for each half day, or may be paid
8 for his or her loss of working time but not more than \$15.00 for
9 each day shall be taxable as costs as his or her witness fee. A

1 witness shall be reimbursed for his or her traveling expenses at
2 the rate of 10 cents per mile in coming to the place of
3 attendance and returning from the place of attendance, to be
4 estimated from the residence of the witness, if his or her resi-
5 dence is within this state, or from the boundary line of this
6 state that the witness passed in coming into this state, if his
7 or her residence is out of the state.

8 (2) An attorney or counsel in any action or proceeding in
9 which he or she may be interested as attorney or counsel shall
10 not be paid any fee for attending as a witness in that action or
11 proceeding.

12 (3) A witness who is incarcerated under sentence in a county
13 jail or a state or federal correctional facility when he or she
14 attends an action or proceeding shall not be paid a witness fee
15 and shall not be reimbursed for traveling from or returning to
16 the place where he or she is incarcerated.

17 (4) A witness who attends a proceeding before any person
18 authorized to hold inquests on the view of dead bodies, or before
19 any officer, person, or board authorized to take the examination
20 of witnesses, shall be paid a witness fee of \$12.00 for each
21 day's attendance and \$6.00 for each half day; and shall be reim-
22 bursed for his or her traveling expenses in that case, at the
23 rate of 10 cents per mile in coming to the place of attendance
24 and returning from the place of attendance, to be estimated from
25 the residence of the witness, if his or her residence is within
26 this state, or from the boundary line of this state that the

1 witness passed in coming into this state, if his or her residence
2 is out of the state.

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

8 (A) THE PEACE OFFICER'S ATTENDANCE RELATES TO AN EVENT HE OR
9 SHE WITNESSED OR TOOK PART IN WHILE PERFORMING HIS OR HER DUTIES
10 AS A PEACE OFFICER.

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

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

17 (A) A SHERIFF OR SHERIFF'S DEPUTY.

18 (B) A VILLAGE OR TOWNSHIP MARSHAL.

19 (C) AN OFFICER OF THE MICHIGAN STATE POLICE.

20 (D) AN OFFICER WHO IS TRAINED AND CERTIFIED PURSUANT TO THE
21 MICHIGAN LAW ENFORCEMENT OFFICERS TRAINING COUNCIL ACT OF 1965,
22 ACT NO. 203 OF THE PUBLIC ACTS OF 1965, BEING SECTIONS 28.601 TO
23 28.616 OF THE MICHIGAN COMPILED LAWS.