

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4927

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8379 (MCL 600.8379), as amended by 1990
PA 54.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8379. (1) Fines and costs assessed in the district
2 court shall be paid to the clerk of the court who shall appropri-
3 ate them as follows:

4 (a) A fine imposed for the violation of a penal law of this
5 state and a civil fine ordered in a civil infraction action for
6 violation of a law of this state shall be paid to the county
7 treasurer and applied for library purposes as provided by law.

8 (b) In districts of the first and second class, costs
9 imposed for the violation of a penal law of this state or ordered
10 in a civil infraction action for the violation of a law of this

HB 4927, As Passed Senate, April 6, 2000

House Bill No. 4927

2

1 state shall be paid to the treasurer of the county in which the
2 action was commenced. In districts of the third class, costs
3 imposed for the violation of a penal law of this state or ordered
4 in a civil infraction action for the violation of a law of this
5 state shall be paid to the treasurer of the political subdivision
6 where the guilty plea or civil infraction admission was entered
7 or where the trial or civil infraction action hearing took
8 place.

9 (c) Except as provided in subsection (2), in districts of
10 the first and second class, 1/3 of all fines and costs, other
11 than those imposed for the violation of a penal law of this state
12 or ordered in a civil infraction action for the violation of a
13 law of this state, shall be paid to the political subdivision
14 whose law was violated and 2/3 shall be paid to the county in
15 which the political subdivision is located. In districts of the
16 third class, all fines and costs, other than those imposed for
17 the violation of a penal law of this state or ordered in a civil
18 infraction action for the violation of a law of this state, shall
19 be paid to the political subdivision whose law was violated,
20 except that where fines and costs are assessed in a political
21 subdivision other than the political subdivision whose law was
22 violated, 2/3 shall be paid to the political subdivision where
23 the guilty plea or civil infraction admission was entered or
24 where the trial or civil infraction action hearing took place and
25 the balance shall be paid to the political subdivision whose law
26 was violated.

HB 4927, As Passed Senate, April 6, 2000

House Bill No. 4927 as amended April 6, 2000

3

1 (d) In a district of the third class, if each political
2 subdivision within the district, by resolution of its governing
3 body, agrees to a distribution of fines and costs, other than
4 fines imposed for the violation of a penal law of this state or
5 ordered in a civil infraction action for the violation of a law
6 of this state, differently than as provided by this section, the
7 distribution of those fines and costs among the political subdi-
8 visions of that district shall be as agreed to. An existing
9 agreement applicable to the distribution of fines and costs shall
10 apply with the same effect to the distribution of civil fines and
11 costs ordered in civil infraction actions.

12 (E) A CIVIL FINE IMPOSED UPON A PERSON FOR VIOLATION OF A
13 PROVISION OF A CODE OR AN ORDINANCE OF A POLITICAL SUBDIVISION OF
14 THIS STATE REGULATING THE OPERATION OF A COMMERCIAL VEHICLE THAT
15 SUBSTANTIALLY CORRESPONDS TO A PROVISION OF THE MICHIGAN VEHICLE
16 CODE, 1949 PA 300, MCL 257.1 TO 257.923, SHALL BE PAID TO THE
17 COUNTY TREASURER AND ALLOCATED AS FOLLOWS:

18 (i) SEVENTY PERCENT TO THE POLITICAL SUBDIVISION IN WHICH THE
19 CITATION IS ISSUED.

20 (ii) THIRTY PERCENT FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

21 (F) A CIVIL FINE IMPOSED UPON A PERSON FOR VIOLATION OF A
22 PROVISION OF A CODE OR AN ORDINANCE REGULATING THE OPERATION OF A
23 COMMERCIAL VEHICLE ADOPTED BY A CITY, TOWNSHIP, OR VILLAGE PURSU-
24 ANT TO SECTION 1 OF 1956 PA 62, MCL 257.951, SHALL BE PAID TO THE
25 COUNTY TREASURER AND ALLOCATED AS FOLLOWS:

26 (i) SEVENTY PERCENT TO THE POLITICAL SUBDIVISION IN WHICH THE
27 CITATION IS ISSUED.

HB 4927, As Passed Senate, April 6, 2000

House Bill No. 4927 as amended April 6, 2000

4

1 (ii) THIRTY PERCENT FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

2 (2) In the fifty-second district, 30% of all fines and
3 costs, other than those imposed for the violation of a penal law
4 of this state or ordered in a civil infraction action for the
5 violation of a law of this state, shall be paid to the political
6 subdivision whose law was violated and 70% shall be paid to the
7 county in which the political subdivision is located. This sub-
8 section shall apply only if the consolidation of the
9 forty-fifth-b district with the fifty-second district, as pro-
10 vided in section 8123, takes place pursuant to section 8177.

11 (3) AS USED IN SUBSECTION (1)(E) AND (F):

12 (A) "COMMERCIAL VEHICLE" INCLUDES A MOTOR VEHICLE USED FOR
13 THE TRANSPORTATION OF PASSENGERS FOR HIRE OR CONSTRUCTED OR USED
14 FOR TRANSPORTATION OF GOODS, WARES, OR MERCHANDISE AND A MOTOR
15 VEHICLE DESIGNED AND USED FOR DRAWING OTHER VEHICLES AND NOT SO
16 CONSTRUCTED AS TO CARRY ANY LOAD ON THE VEHICLE INDEPENDENTLY OR
17 ANY PART OF THE WEIGHT OF A VEHICLE OR LOAD SO DRAWN.

18 (B) "OPERATION" MEANS BEING IN ACTUAL PHYSICAL CONTROL OF A
19 VEHICLE REGARDLESS OF WHETHER THE PERSON IS LICENSED UNDER THE
20 MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, AS AN
21 OPERATOR OR CHAUFFEUR.

22 (C) "PERSON" MEANS EVERY NATURAL PERSON, PARTNERSHIP, ASSO-
23 CIATION, OR CORPORATION AND THEIR LEGAL SUCCESSORS.

24 Enacting section 1. This amendatory act does not take
25 effect unless all of the following bills of the 90th Legislature
26 are enacted into law:

HB 4927, As Passed Senate, April 6, 2000

House Bill No. 4927

5

- 1 (a) House Bill No. 4928.
- 2 (b) House Bill No. 4929.
- 3 (c) House Bill No. 4930.
- 4 (d) House Bill No. 4931.
- 5 (e) House Bill No. 4932.