



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

INCREASE JUROR COMPENSATION, CREATE STATE FUND

House Bill 4090 (Substitute H-1)
Sponsor: Rep. Michael Switalski

House Bill 4551
Sponsor: Rep. Gary A. Newell

House Bill 4552
Sponsor: Rep. Ken Daniels

House Bill 4553
Sponsor: Rep. Andrew Richner

Committee: Civil Law and the Judiciary
Complete to 4-24-01

A SUMMARY OF HOUSE BILL 4090 (SUBSTITUTE H-1) AND HOUSE BILLS 4551, 4552, 4553 AS INTRODUCED 4-17-01

Currently, under the Revised Judicature Act, jurors receive at least \$15 a day (and \$7.50 a half day) for each actual day of attendance at the court. County boards of commissioners can choose to pay jurors more than this statutory minimum, but cannot pay less.

The bills would increase juror compensation after the first day of jury duty, which would be compensated at the current statutory rates, and establish a new state juror compensation fund (to be funded from a doubling of the fee for restoring certain suspended driver's licenses) that would be intended to cover the costs of the proposed increase.

House Bill 4090 would amend the Revised Judicature Act (MCL 600.1344) to increase juror compensation after the first day of jury duty (which would be compensated at the current statutory minimum of \$15 for a full day's attendance and \$7.50 for a half day's attendance) to \$40 for each full day and \$20 for each half day of jury duty. The bill also would make some technical language changes, including substituting language referring to a juror being "reimbursed for his or her traveling expenses" instead of the current reference to jurors being "paid mileage," though the reimbursement for traveling expenses would remain at the current rate of a minimum of 10 cents per mile as calculated from the juror's home to the court.

House Bill 4552. Currently, under the Michigan Vehicle Code, people who have their licenses suspended under certain circumstances must, among other things, pay a \$25 "driver license clearance fee" to the court before getting their license back. The court transfers 60 percent (or \$15) of each driver license clearance fee to the secretary of state on a monthly basis to be deposited in the state general fund, and to be used to defray the secretary of state's expenses in processing driver licenses suspended and reinstated under these provisions of the vehicle code. The remaining \$10 of the fee goes to the local government's general fund.

House Bills 4090 and 4551 - 4553 (4-24-01)

House Bill 4552 would amend the Michigan Vehicle Code (MCL 257.321a) to increase the driver license clearance fee to \$50, and would send the \$25 increase in the fee to the juror compensation fund proposed by House Bill 4551 (below). (However, \$2 of the \$25 increase would go to the state supreme court, so the proposed fund would actually receive only \$23 of the \$25 increase.) The secretary of state would continue to receive \$15 from each driver license clearance fee (which the bill would specify as a dollar amount instead of a percentage of the fee), and the remaining \$10 would continue to go to the local unit's general fund.

House Bill 4551 would add a new section to the Revised Judicature Act (MCL 600.151c) to create the "juror compensation reimbursement fund" in the state treasury. The state treasurer would credit to the fund deposits of proceeds from the collection of driver license clearance fees (as increased and specified by House Bill 4552, above), and credit all income from investment credited to the fund by the treasurer. The state treasurer could invest money in the fund in any manner authorized by law, but the investment could not interfere with any disbursement of money required under House Bill 4553, below. The unencumbered balance remaining in the fund at the end of a fiscal year would stay in the fund and not revert to the general fund.

House Bill 4553 would add a new section to the Revised Judicature Act (MCL 600.151d) to direct the annual distribution of money from the juror compensation reimbursement fund. Under the bill, each court funding unit would submit an annual report to the state court administrator for each court under its administration, indicating the total of compensation payments made to jurors (except for travel reimbursement). (Under current law, jurors are paid at least \$15 a day and \$7.50 for each half day of actual attendance at court, with the option given to county boards of commissioners to pay more if they so choose.) If any of the juror compensation payments included in these totals were above the statutory minimum, the report also would have to include the total amount above that minimum paid to jurors.

Each year, the state court administrator, at the direction of the supreme court and upon confirmation by the state treasurer of the total amount available in the juror compensation reimbursement fund, would distribute the total amount of the fund, minus up to \$100,000 in reimbursement to the state court administrator for all reasonable costs associated with administering the bill.

Not later than April 1, 2003, the state court administrator would determine the percentage of the total amount available for disbursement from the fund to the state court funding units and pay that amount to the court funding units. More specifically, the percentage of the money in the fund to which each court funding unit would be entitled would be determined by dividing each court funding unit's amount of statutory minimum juror payments by the total amount of the minimum statutory juror compensation payments reported under the bill. The state court administrator would be required to pay the total amount available in the fund to all court funding units according to their respective percentages.

The bill states that it is intended that the payments made on April 1, 2003 would offset expenses incurred by court funding units for costs in adapting to the changes in the statutory minimum rate for juror compensation proposed by House Bill 4090, which would double the current statutory juror compensation rates.

Effective date, tie-bar. All of the bills, if enacted, would take effect on October 2, 2001, and none of the bills could take effect unless all were enacted.

Analyst: S. Ekstrom

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.