

# HOUSE BILL No. 4871

June 19, 2003, Introduced by Rep. Jamnick and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 5759 (MCL 600.5759).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 5759. (1) In proceedings under this chapter, costs may  
2 be allowed in the same amounts as are provided by law in other  
3 civil actions in the same court, except that the costs provided  
4 by section 2441 shall not apply. The court may also allow as  
5 taxable costs an amount not exceeding the following:

6       (a) For a motion ~~which~~ **that** results in dismissal or  
7 judgment, \$20.00.

8       (b) For a judgment taken by default, ~~-\$15.00~~ **\$75.00**.

9       (c) For the trial of a claim for possession only, \$20.00.

10       (d) For the trial of a claim for ~~damages~~ **a money judgment**  
11 only, \$20.00.

1 (e) For a trial including both a claim for possession and a  
2 claim for a money judgment, ~~-\$30.00-~~ **\$150.00.**

3 (2) In determining taxable costs in tenancy cases, the judge  
4 shall take into consideration whether the jury or judge found  
5 that a portion of the rent allegedly due to the plaintiff was  
6 excused by reason of the plaintiff's breach of the lease or  
7 breach of his **or her** statutory covenants.