

SENATE BILL No. 1369

September 9, 2004, Introduced by Senator SWITALSKI and referred to the Committee on Appropriations.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 151d and 151e (MCL 600.151d and 600.151e), section 151d as added by 2002 PA 740 and section 151e as added by 2002 PA 742.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 151d. (1) The juror compensation reimbursement fund is
2 created in the state treasury. The money in the fund shall be
3 used as provided in section 151e.

4 (2) The state treasurer shall credit to the juror
5 compensation reimbursement fund deposits of proceeds from the
6 collection of driver license clearance fees as provided in
7 section 321a(11) of the Michigan vehicle code, 1949 PA 300,
8 MCL 257.321a, and deposits of proceeds from the collection of
9 jury demand fees as provided in sections 2529(1)(c) and 8371(9),

1 and shall credit all income from investment credited to the fund
2 by the state treasurer. The state treasurer may invest money in
3 the fund in any manner authorized by law for the investment of
4 state money. However, an investment shall not interfere with any
5 apportionment, allocation, or payment of money as required by
6 section 151e. The state treasurer shall credit to the fund all
7 income earned as a result of an investment of money in the fund.
8 ~~The~~ **Except as provided in subsection (3), the** unencumbered
9 balance remaining in the fund at the end of a fiscal year shall
10 remain in the fund and shall not revert to the general fund.

11 **(3) For the state fiscal year ending September 30, 2004 only,**
12 **\$4,000,000.00 of the unencumbered balance remaining in the fund**
13 **at the end of that fiscal year shall be transferred by the state**
14 **treasurer to the general fund.**

15 Sec. 151e. (1) The money in the juror compensation
16 reimbursement fund shall be distributed each year as provided in
17 this section.

18 (2) Each court funding unit shall submit a report
19 semiannually to the state court administrator, for each court for
20 which it is a funding unit, giving the total amount of the
21 expense incurred during the fiscal year by that funding unit due
22 to the increase in the statutory minimum compensation rate for
23 jurors that took effect October 1, 2003, pursuant to
24 section 1344. If any of the juror compensation payments made by
25 that court funding unit were in excess of the statutory minimum
26 amount prescribed in section 1344, the report also shall include
27 the total amount paid to jurors in excess of that statutory

1 minimum.

2 (3) Each year, the state court administrator, at the
3 direction of the supreme court and upon confirmation by the state
4 treasurer of the total amount available in the fund, shall
5 distribute from the fund the amount prescribed in
6 subsection (4). However, reimbursements under this subsection
7 are subject to both of the following:

8 (a) ~~The~~ **For fiscal years beginning after September 30,**
9 **2004, the** state court administrator shall be reimbursed
10 semiannually from the fund for reasonable costs associated with
11 the administration of this section, not to exceed ~~either of the~~
12 ~~following:~~

13 ~~—— (i) For the fiscal year beginning October 1, 2003, an annual~~
14 ~~total of \$100,000.00.~~

15 ~~—— (ii) For fiscal years beginning after September 30, 2004, an~~
16 annual total of \$40,000.00.

17 (b) If the amount available in the fund in any fiscal year is
18 more than the amount needed to pay the entire reimbursement
19 required for all court funding units under subsection (4),
20 **subject to section 151d(3) for the fiscal year ending September**
21 **30, 2004,** the unencumbered balance shall be carried forward to
22 the next fiscal year and shall not revert to the general fund.

23 (4) Each court funding unit is entitled to receive
24 reimbursement from the fund for the expense amount reported under
25 subsection (2) for the preceding 6 months, excluding any juror
26 compensation in excess of the statutory minimum.

27 (5) Payments from the fund shall be made every 6 months.

1 Reimbursement for each 6-month period beginning with the quarter
2 that ends March 31, 2004 shall be made from the fund not later
3 than 2 months after the end of the 6-month period.

4 (6) In addition to the amounts to be paid out under
5 subsection (5) for the 6-month period ending March 31, 2004 and
6 for the 6-month period ending September 30, 2004, the state court
7 administrator shall pay an additional sum equal to 14% of the
8 payment due under subsection (5) to each court funding unit.
9 These 2 extra payments are intended to offset expenses incurred
10 by court funding units for costs in adapting to the changes in
11 the statutory minimum rate for juror compensation as implemented
12 by ~~the 2002 amendatory act that amended section 1344~~ **2002 PA**
13 **742.**

14 (7) As used in this section, "court funding unit" means 1 of
15 the following, as applicable:

16 (a) For circuit or probate court, the county.

17 (b) For district court, the district funding unit as that
18 term is defined in section 8104.

19 (c) For a municipal court, the city in which the municipal
20 court is located.