

Act No. 96
Public Acts of 2003
Approved by the Governor
July 24, 2003
Filed with the Secretary of State
July 24, 2003
EFFECTIVE DATE: October 1, 2003

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2003**

Introduced by Senator Clarke

ENROLLED SENATE BILL No. 435

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 8381 (MCL 600.8381), as amended by 1996 PA 374.

The People of the State of Michigan enact:

Sec. 8381. (1) Until October 1, 2003, when fines and costs are assessed by a magistrate, a traffic bureau, or a judge of the district court, not less than \$9.00 shall be assessed as costs and collected for each conviction or civil infraction determination and each guilty plea or civil infraction admission except for parking violations. Of the costs assessed and collected, for each conviction or civil infraction determination and each guilty plea or civil infraction admission, \$9.00 shall be paid to the clerk of the district court.

(2) The clerk of the district court, on or before the fifteenth day of the month following the month in which costs are collected under subsection (1), shall transmit the following amounts:

(a) Until October 1, 2003, the clerk shall transmit 45 cents of the costs collected to the executive secretary of the Michigan judges retirement system created by the judges retirement act of 1992, 1992 PA 234, MCL 38.2101 to 38.2670, and shall transmit \$8.55 of the costs collected to the state treasurer. Of each \$8.55 received, the state treasurer shall deposit 30 cents in the legislative retirement fund created by the Michigan legislative retirement system act, 1957 PA 261, MCL 38.1001 to 38.1080; \$4.25 in the court equity fund created under section 151b; and shall deposit the balance in the state court fund created by section 151a.

(b) Beginning October 1, 2003, the clerk shall transmit \$9.00 of any costs assessed before October 1, 2003 to the justice system fund created in section 181 of the revised judicature act of 1961, 1961 PA 236, MCL 600.181.

(3) Until October 1, 2003, the clerk of the district court shall prepare and submit a court filing fee report to the executive secretary of the Michigan judges retirement system created by the judges retirement act of 1992, 1992 PA 234, MCL 38.2101 to 38.2670, at the same time the clerk of the district court transmits the portion of the costs collected under this section to the executive secretary.

(4) Beginning October 1, 2003, when fines and costs are assessed by a judge or district court magistrate, the defendant shall be ordered to pay costs of not less than \$45.00 for each conviction for a serious misdemeanor or a specified misdemeanor or costs of not less than \$40.00 for each conviction for any other misdemeanor or ordinance violation.

(5) Beginning October 1, 2003, when fines and costs are assessed by a judge or district court magistrate in a civil infraction action, the defendant shall be ordered to pay the state assessment required by section 8727 or 8827 of this act or by section 907 of the Michigan vehicle code, 1949 PA 300, MCL 257.907.

(6) As used in this section:

(a) "Ordinance violation" means that term as defined in section 1 of chapter I of the code of criminal procedure, 1927 PA 175, MCL 761.1.

(b) "Serious misdemeanor" means that term as defined in section 61 of the crime victim's rights act, 1985 PA 87, MCL 780.811.

(c) "Specified misdemeanor" means that term as defined in section 1 of 1989 PA 196, MCL 780.901.

Enacting section 1. This amendatory act takes effect October 1, 2003.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved _____

Governor