

Act No. 465
Public Acts of 2004
Approved by the Governor
December 27, 2004
Filed with the Secretary of State
December 28, 2004
EFFECTIVE DATE: December 28, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Senator Switalski

ENROLLED SENATE BILL No. 1369

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 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:

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

(2) The state treasurer shall credit to the juror compensation reimbursement fund deposits of proceeds from the collection of driver license clearance fees as provided in section 321a(11) of the Michigan vehicle code, 1949 PA 300, MCL 257.321a, and deposits of proceeds from the collection of jury demand fees as provided in sections 2529(1)(c) and 8371(9), and shall credit all income from investment credited to the fund by the state treasurer. The state treasurer may invest money in the fund in any manner authorized by law for the investment of state money. However, an investment shall not interfere with any apportionment, allocation, or payment of money as required by section 151e. The state treasurer shall credit to the fund all income earned as a result of an investment of money in the fund. Except as provided in subsection (3), the unencumbered balance remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert to the general fund.

(3) For the state fiscal year ending September 30, 2005 only, \$4,000,000.00 of the unencumbered balance remaining in the fund at the end of that fiscal year shall be transferred by the state treasurer to the general fund.

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

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

(3) 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 fund, shall distribute from the fund the amount prescribed in subsection (4). However, reimbursements under this subsection are subject to both of the following:

(a) For fiscal years beginning after September 30, 2004, the state court administrator shall be reimbursed semiannually from the fund for reasonable costs associated with the administration of this section, not to exceed an annual total of \$40,000.00.

(b) If the amount available in the fund in any fiscal year is more than the amount needed to pay the entire reimbursement required for all court funding units under subsection (4), subject to section 151d(3) for the fiscal year ending September 30, 2005, the unencumbered balance shall be carried forward to the next fiscal year and shall not revert to the general fund.

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

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

(6) In addition to the amounts to be paid out under subsection (5) for the 6-month period ending March 31, 2004 and for the 6-month period ending September 30, 2004, the state court administrator shall pay an additional sum equal to 14% of the payment due under subsection (5) to each court funding unit. These 2 extra payments are intended to offset expenses incurred by court funding units for costs in adapting to the changes in the statutory minimum rate for juror compensation as implemented by 2002 PA 739.

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

- (a) For circuit or probate court, the county.
- (b) For district court, the district funding unit as that term is defined in section 8104.
- (c) For a municipal court, the city in which the municipal court is located.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor