

**SUBSTITUTE FOR
SENATE BILL NO. 1616**

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
by amending section 18m of chapter XIIIA (MCL 712A.18m), as amended
by 2004 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER XIIIA

Sec. 18m. (1) If a juvenile is within the court's jurisdiction
under section 2(a)(1) of this chapter, and is ordered to pay any
combination of fines, costs, restitution, assessments, or payments
arising out of the same juvenile proceeding, the court shall order
the juvenile to pay costs of not less than the following amount, as
applicable:

(a) ~~\$60.00~~ **\$67.50**, if the juvenile is found to be within the
court's jurisdiction for a felony.

1 (b) ~~\$45.00~~ **\$52.50**, if the juvenile is found to be within the
2 court's jurisdiction for a serious misdemeanor or a specified
3 misdemeanor.

4 (c) ~~\$40.00~~ **\$47.50**, if the juvenile is found to be within the
5 court's jurisdiction for a misdemeanor not described in subdivision
6 (b) or of an ordinance violation.

7 (2) Of the costs ordered to be paid, the clerk of the court
8 shall pay to the justice system fund created in section 181 of the
9 revised judicature act of 1961, 1961 PA 236, MCL 600.181, the
10 applicable amount specified as a minimum cost in subsection (1).

11 (3) If a juvenile who is ordered to pay a minimum state cost
12 under this section is subject to any combination of fines, costs,
13 restitution, assessments, or payments arising out of the same
14 juvenile proceeding, money collected from that person for the
15 payment of fines, costs, restitution, assessments, or other
16 payments shall be allocated as provided in section 29 of this
17 chapter. A fine imposed for a felony, misdemeanor, or ordinance
18 violation shall not be waived unless costs, other than the minimum
19 state cost, are waived.

20 (4) On the last day of each month, the clerk of the court
21 shall transmit the minimum state cost or portions of minimum state
22 cost collected under this section to the department of treasury for
23 deposit in the justice system fund created in section 181 of the
24 revised judicature act of 1961, 1961 PA 236, MCL 600.181.

25 (5) As used in this section:

26 (a) "Felony" means a violation of a penal law of this state
27 for which the offender may be punished by imprisonment for more

1 than 1 year or an offense expressly designated by law to be a
2 felony.

3 (b) "Minimum state cost" means the applicable minimum cost to
4 be ordered under subsection (1).

5 (c) "Ordinance violation" means that term as defined in
6 section 1 of chapter I of the code of criminal procedure, 1927 PA
7 175, MCL 761.1.

8 (d) "Serious misdemeanor" means that term as defined in
9 section 61 of the **WILLIAM VAN REGENMORTER** crime victim's rights
10 act, 1985 PA 87, MCL 780.811.

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

13 Enacting section 1. This amendatory act takes effect January
14 1, 2009.

15 Enacting section 2. This amendatory act does not take effect
16 unless all of the following bills of the 94th Legislature are
17 enacted into law:

18 (a) Senate Bill No. 1617.

19 (b) Senate Bill No. 1618.

20 (c) House Bill No. 5054.

21 (d) House Bill No. 5055.