

Legislative Analysis



COLLECTION OF FINES, COSTS, FEES, ETC.

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House Bill 5318

Sponsor: Rep. Richard Hammel

Committee: Judiciary

Complete to 11-03-09

A SUMMARY OF HOUSE BILL 5318 AS INTRODUCED 9-9-09

The bill would add a provision to the Revised Judicature Act to specify that, unless otherwise specially provided by law, any fine, cost, restitution, reimbursement, assessment, or other fee that had been imposed in a criminal case (both felonies and misdemeanors) or in a civil infraction action as authorized by law or court rule could be recovered in the same manner as a civil judgment for money in the same court.

The bill also would revise an existing provision in the RJA that currently says a penalty, fee, or costs incurred by a person where the act or omission is not also a misdemeanor may be recovered in the same manner as a civil judgment for money. After the revision, that provision would apply to penalties where the act or omission for which the penalty is imposed is not also a felony, misdemeanor, or civil infraction, and it would allow those penalties (but not fees or costs) to be recovered in a civil action. (The revision appears to make the provision now apply to penalties imposed for violations of law that are not crimes or civil infractions.)

MCL 600.4805

FISCAL IMPACT:

There would be no fiscal impact to state or local government.

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