

SENATE BILL No. 890

October 13, 2009, Introduced by Senator KAHN and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 6306 (MCL 600.6306), as amended by 1995 PA 161.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6306. (1) After a verdict rendered by a trier of fact in
2 favor of a plaintiff, an order of judgment shall be entered by the
3 court. Subject to section 2959, the order of judgment shall be
4 entered against each defendant, including a third-party defendant,
5 in the following order and in the following judgment amounts:

6 (a) All past economic damages, less collateral source payments
7 as provided ~~for~~ in section 6303.

8 (b) All past noneconomic damages.

9 (c) All future economic damages, less medical and other health
10 care costs, and less collateral source payments determined to be
11 collectible under section 6303(5), reduced to gross present cash

1 value.

2 (d) All future medical and other health care costs reduced to
3 gross present cash value.

4 (e) All future noneconomic damages reduced to gross present
5 cash value.

6 (f) All taxable and allowable costs, including interest as
7 permitted by section 6013 or 6455 on the judgment amounts.

8 (2) As used in this section, "gross present cash value" means
9 the total amount of future damages reduced to present value at a
10 rate of 5% per year, **AND COMPOUNDED ANNUALLY**, for each year in
11 which those damages **WILL** accrue, as found by the trier of fact ~~as~~
12 ~~provided in~~ **UNDER** section 6305(1)(b).

13 (3) If the plaintiff was assigned a percentage of fault under
14 section 6304, the total judgment amount shall be reduced, subject
15 to section 2959, by an amount equal to the percentage of
16 plaintiff's fault. When reducing the judgment amount ~~as provided in~~
17 **UNDER** this subsection, the court shall determine the ratio of total
18 past damages to total future damages and shall allocate the amounts
19 to be deducted proportionally between the past and future damages.