

SENATE BILL No. 1470

August 24, 2010, Introduced by Senators HUNTER and BASHAM and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 22 of chapter XV (MCL 775.22), as amended by
2003 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XV

Sec. 22. (1) If a person is subject to any combination of
fines, costs, restitution, assessments, probation or parole
supervision fees, or other payments arising out of the same
criminal proceeding, money collected from that person for the
payment of fines, costs, restitution, assessments, probation or
parole supervision fees, or other payments shall be allocated as
provided in this section.

(2) Except as otherwise provided in this subsection, if a

1 person is subject to payment of victim payments and any combination
2 of other fines, costs, assessments, probation or parole supervision
3 fees, or other payments, ~~50%–100%~~ of all money collected from that
4 person shall be applied to payment of victim payments. ~~, and the~~
5 ~~balance shall be applied to payment of fines, costs, supervision~~
6 ~~fees, and other assessments or payments.~~ If any fines, costs,
7 supervision fees, or other assessments or payments remain unpaid
8 after all of the victim payments have been paid, any additional
9 money collected shall be applied to payment of those fines, costs,
10 supervision fees, or other assessments or payments. If any victim
11 payments remain unpaid after all of the fines, costs, supervision
12 fees, or other assessments or payments have been paid, any
13 additional money collected shall be applied toward payment of those
14 victim payments.

15 (3) In cases involving prosecutions for violations of state
16 law, money allocated under subsection (2) for payment of fines,
17 costs, probation and parole supervision fees, and assessments or
18 payments other than victim payments shall be applied in the
19 following order of priority:

20 (a) Payment of the minimum state cost prescribed by section 1j
21 of chapter IX.

22 (b) Payment of other costs.

23 (c) Payment of fines.

24 (d) Payment of probation or parole supervision fees.

25 (e) Payment of assessments and other payments.

26 (4) In cases involving prosecutions for violations of local
27 ordinances, money allocated under subsection (2) for payment of

1 fines, costs, and assessments or payments other than victim
2 payments shall be applied in the following order of priority:

3 (a) Payment of the minimum state cost prescribed by section 1j
4 of chapter IX.

5 (b) Payment of fines and other costs.

6 (c) Payment of assessments and other payments.

7 (5) As used in this section, "victim payment" means
8 restitution ordered to be paid to the victim or the victim's
9 estate, but not to a person who reimbursed the victim for his or
10 her loss, or an assessment ordered under section 5 of 1989 PA 196,
11 MCL 780.905.

12 Enacting section 1. This amendatory act does not take effect
13 unless all of the following bills of the 95th Legislature are
14 enacted into law:

15 (a) Senate Bill No. 1469.

16
17 (b) Senate Bill No. 1471.