

# SENATE BILL No. 1471

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

A bill to amend 1939 PA 288, entitled  
"Probate code of 1939,"  
by amending section 29 of chapter XIIA (MCL 712A.29), as amended by  
2003 PA 74.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER XIIA

Sec. 29. (1) If a child is subject to any combination of  
fines, costs, restitution, assessments, or payments arising out of  
the same order of disposition, money collected from that child, or  
his or her parent or parents, for the payment of fines, costs,  
restitution, assessments, or other payments shall be allocated as  
provided in this section.

(2) Except as otherwise provided in this subsection, if a  
child is subject to payment of victim payments and any combination

1 of other fines, costs, assessments, or other payments, ~~50%–100%~~ of  
2 the money collected from that child, or his or her parent or  
3 parents, shall be applied to payment of victim payments. ~~, and the~~  
4 ~~balance shall be applied to payment of fines, costs, and other~~  
5 ~~assessments or payments.~~ If fines, costs, or other assessments or  
6 payments remain unpaid after all victim payments have been paid,  
7 additional money collected shall be applied to payment of those  
8 fines, costs, or other assessments or payments. If victim payments  
9 remain unpaid after all fines, costs, or other assessments or  
10 payments have been paid, additional money collected shall be  
11 applied toward payment of those victim payments.

12 (3) In cases involving orders of disposition for offenses that  
13 would be violations of state law if committed by an adult, money  
14 allocated under subsection (2) for payment of fines, costs, and  
15 assessments or payments other than victim payments shall be applied  
16 in the following order of priority:

17 (a) Payment of the minimum state cost prescribed in section 1j  
18 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL  
19 769.1j.

20 (b) Payment of other costs.

21 (c) Payment of fines.

22 (d) Payment of assessments and other payments.

23 (4) In cases involving orders of disposition for offenses that  
24 would be violations of local ordinances if committed by an adult,  
25 money allocated under subsection (2) for payment of fines, costs,  
26 and assessments or payments other than victim payments shall be  
27 applied in the following order of priority:

1 (a) Payment of the minimum state cost prescribed in section 1j  
2 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL  
3 769.1j.

4 (b) Payment of fines and other costs.

5 (c) Payment of assessments and other payments.

6 (5) Money allocated for payment of costs under subsection (3)  
7 shall be paid to the county treasurer for deposit in the general  
8 fund of the county. Money allocated for payment of fines under  
9 subsection (3) shall be paid to the county treasurer to be used for  
10 library purposes as provided by law.

11 (6) One-third of the money allocated for payment of fines and  
12 costs under subsection (4) shall be paid to the treasurer of the  
13 political subdivision whose ordinance was violated, and 2/3 of that  
14 money shall be paid to the county treasurer for deposit in the  
15 general fund of the county.

16 (7) As used in this section, "victim payment" means  
17 restitution ordered under sections 30 and 31 and under the crime  
18 victim's rights act, 1985 PA 87, MCL 780.751 to 780.834, paid to  
19 the victim or the victim's estate, but not to a person who  
20 reimbursed the victim for his or her loss, or an assessment ordered  
21 under section 5 of 1989 PA 196, MCL 780.905.

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

25 (a) Senate Bill No. 1469.

26  
27 (b) Senate Bill No. 1470.