

Legislative Analysis



FEE FOR PUBLICATION OF LEGAL NOTICES: ALLOW ANNUAL INCREASES FOR INFLATION

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House Bill 5522 as introduced
Sponsor: Rep. Peter J. Lucido
Committee: Judiciary
Complete to 5-23-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

The bill would allow the rates established in statute for the fee that a newspaper may charge to publish legal notices to be adjusted annually for inflation.

The Revised Judicature Act establishes the fees for publishing a legal notice or an order, citation, summons, advertisement, or other matter arising out of judicial proceedings required by law to be published in a newspaper. Beginning March 1, 2008, the fees were required to be adjusted each year by the percentage increase in the U.S. Consumer Price Index (CPI), but only for five years.

House Bill 5522 removes the five-year restriction to allow the fees to be adjusted annually for inflation. The bill also updates the language in the statute for clarity.

MCL 600.2534

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on the state and on local units of government due to rates being adjusted annually under the bill. These costs are typically paid by the parties in a majority of the cases. Court costs would increase in cases in which indigent parties were publishing, and costs would increase for state and/or local units in cases where the state or local unit was the party publishing.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.