

Act No. 231  
Public Acts of 2015  
Approved by the Governor  
December 22, 2015  
Filed with the Secretary of State  
December 22, 2015  
EFFECTIVE DATE: January 1, 2016

**STATE OF MICHIGAN  
98TH LEGISLATURE  
REGULAR SESSION OF 2015**

Introduced by Reprs. Heise and Kesto

# ENROLLED HOUSE BILL No. 5029

AN ACT to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” (MCL 600.101 to 600.9947) by adding sections 1986 and 1987.

*The People of the State of Michigan enact:*

Sec. 1986. (1) Beginning March 1, 2016, if a fee for commencing a civil action is authorized or required by law, in addition to that fee, the clerk shall also collect an electronic filing system fee, subject to section 1993, as follows:

- (a) For civil actions filed in the supreme court, court of appeals, circuit court, probate court, and court of claims, \$25.00.
- (b) Except as provided in subdivisions (c) and (d), for civil actions filed in the district court, including actions filed for summary proceedings, \$10.00.
- (c) For civil actions filed in district court if a claim for money damages is joined with a claim for relief other than money damages, \$20.00.
- (d) For civil actions filed in the small claims division of district court, \$5.00.

(2) Subject to section 1991, the clerk shall collect the electronic filing system fee listed under subsection (1) from the party at the time the civil action is commenced, whether or not the document commencing the civil action was filed electronically.

(3) If the court waives payment of a fee for commencing a civil action because the court determines that the party is indigent or unable to pay the fee, the court shall also waive payment of the electronic filing system fee.

(4) A party that is a governmental entity is not required to pay an electronic filing system fee.

(5) The clerk may accept automated payment of any fee being paid to the court. If the bank or other electronic commerce business charges the court or court funding unit a merchant transaction fee, the clerk may charge the person paying the fee an additional automated payment service fee as authorized by the state court administrative office. The amount of the automated payment service fee shall not exceed the actual merchant transaction fee to be charged to the court or court funding unit for accepting an automated payment by a bank or other electronic commerce business, or 3% of the automated payment, whichever is less.

Sec. 1987. (1) Except for an automated payment service fee collected under section 1986(5), and except as provided in subsection (2), the electronic filing system fee authorized under this chapter is the only fee that may be charged to or collected in a civil action specifically for electronic filing.

(2) If, pursuant to a supreme court order, a court or court funding unit is collecting a fee for electronic filing other than the electronic filing system fee on September 30, 2015, the court or court funding unit may continue to collect \$2.50 for filing or service or \$5.00 for filing and service, in addition to the electronic system filing fee until December 31, 2016.

Enacting section 1. This amendatory act takes effect January 1, 2016.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) Senate Bill No. 531.
- (b) Senate Bill No. 532.
- (c) Senate Bill No. 533.
- (d) House Bill No. 5028.
- (e) House Bill No. 5030.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor

**Compiler's note:** The bills referred to in enacting section 2 were enacted into law as follows:

Senate Bill No. 531 was filed with the Secretary of State December 22, 2015, and became 2015 PA 233, Eff. Jan. 1, 2016.

Senate Bill No. 532 was filed with the Secretary of State December 22, 2015, and became 2015 PA 234, Eff. Jan. 1, 2016.

Senate Bill No. 533 was filed with the Secretary of State December 22, 2015, and became 2015 PA 235, Eff. Jan. 1, 2016.

House Bill No. 5028 was filed with the Secretary of State December 22, 2015, and became 2015 PA 230, Eff. Jan. 1, 2016.

House Bill No. 5030 was filed with the Secretary of State December 22, 2015, and became 2015 PA 232, Eff. Jan. 1, 2016.