House Bill 4612 (as reported without amendment)
Sponsor: Representative Rob VerHeulen
House Committee: Appropriations
Senate Committee: Appropriations

CONTENT

The bill would amend the Code of Criminal Procedure to extend the authority of courts to impose costs related to actual costs incurred by trial courts for court operations. The authority would be extended until October 17, 2020.

Under the Code, if a defendant enters a plea of guilty or no contest or if the court determines after a hearing or trial that the defendant is guilty, the court must impose the minimum State costs as set by statute, and the court may impose any or all of the following:

-- Any fine authorized by statute.
-- Any cost authorized by statute.
-- The expenses of providing legal assistance to the defendant.
-- Any assessment authorized by law.
-- Reimbursement for expenses incurred while responding to certain violations.

In addition, until October 17, 2017, the court may impose any cost reasonably related to the actual costs incurred by the trial court without separately calculating those costs involved in the particular case. These costs may include, but are not limited to, salaries and benefits for relevant court personnel, goods and services necessary for the operation of the court, and necessary expenses for the operation and maintenance of court buildings and facilities. As noted above, the bill would allow these costs to be imposed until October 17, 2020.

MCL 769.1k

FISCAL IMPACT

The bill would have no fiscal impact on the State and would have a positive fiscal impact on local government. Delaying the "sunset provision" would allow trial courts to continue to impose costs reasonably related to the actual costs incurred by the courts. According to the State Court Administrative Office, in 2015, courts imposed $55.9 million in costs and collected $31.1 million under Section 1k.

Date Completed: 6-15-17   Fiscal Analyst: Ryan M. Bergan