

HOUSE BILL No. 4210

February 15, 2017, Introduced by Rep. Lucido and referred to the Committee on Law and Justice.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 151e (MCL 600.151e), as amended by 2004 PA 465.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 151e. (1) The money in the juror compensation
2 reimbursement fund ~~shall~~ **MUST** be distributed ~~each year~~ as provided
3 in this section.

4 (2) Each court funding unit shall submit a report semiannually
5 to the state court administrator, for each court for which it is a
6 funding unit, giving the total amount of the expense incurred
7 during the fiscal year by that funding unit due to ~~the~~ **ANY** increase
8 in the statutory minimum compensation rate for jurors ~~that took~~
9 ~~effect October 1, 2003, pursuant to~~ **UNDER** section 1344. If any of
10 the juror compensation payments made by that court funding unit
11 were in excess of the statutory minimum amount prescribed in

1 section 1344, the report also ~~shall~~**MUST** include the total amount
2 paid to jurors in excess of that statutory minimum.

3 (3) Each year, the state court administrator, at the direction
4 of the supreme court and upon confirmation by the state treasurer
5 of the total amount available in the fund, shall distribute from
6 the fund the amount prescribed in subsection (4). However,
7 reimbursements under this subsection are subject to both of the
8 following:

9 (a) ~~For fiscal years beginning after September 30, 2004, the~~
10 **THE** state court administrator ~~shall~~**MUST** be reimbursed semiannually
11 from the fund for reasonable costs associated with the
12 administration of this section, not to exceed an annual total of
13 \$40,000.00.

14 (b) If the amount available in the fund in any fiscal year is
15 more than the amount needed to pay the entire reimbursement
16 required for all court funding units under subsection (4), ~~subject~~
17 ~~to section 151d(3) for the fiscal year ending September 30, 2005,~~
18 the unencumbered balance ~~shall~~**MUST** be carried forward to the next
19 fiscal year and ~~shall~~**MUST** not revert to the general fund.

20 (4) Each court funding unit is entitled to receive
21 reimbursement from the fund for the expense amount reported under
22 subsection (2) for the preceding 6 months, excluding any juror
23 compensation in excess of the statutory minimum **UNDER SECTION 1344.**

24 (5) Payments from the fund ~~shall~~**MUST** be made every 6 months.
25 Reimbursement for each 6-month period ~~beginning with the quarter~~
26 ~~that ends March 31, 2004 shall~~**MUST** be made from the fund not later
27 than 2 months after the end of the 6-month period.

~~(6) In addition to the amounts to be paid out under subsection (5) for the 6-month period ending March 31, 2004 and for the 6-month period ending September 30, 2004, the state court administrator shall pay an additional sum equal to 14% of the payment due under subsection (5) to each court funding unit. These 2 extra payments are intended to offset expenses incurred by court funding units for costs in adapting to the changes in the statutory minimum rate for juror compensation as implemented by 2002 PA 739.~~

(6) ~~(7)~~ As used in this section, "court funding unit" means 1 of the following, as applicable:

(a) For circuit or probate court, the county.

(b) For district court, the district funding unit as that term is defined in section 8104.

(c) For a municipal court, the city in which the municipal court is located.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. ____ or House Bill No. 4209 request no. 01835'17) of the 99th Legislature is enacted into law.