

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5117

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 6431 (MCL 600.6431).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 6431. (1) ~~No~~**Except as otherwise provided in this**  
2 **section, a** claim may **not** be maintained against ~~the~~**this** state  
3 unless the claimant, within 1 year after ~~such~~**the** claim has  
4 accrued, files in the office of the clerk of the court of claims  
5 either a written claim or a written notice of intention to file a  
6 claim against ~~the~~**this** state or any of its departments,  
7 commissions, boards, institutions, arms, or agencies. ~~stating~~  
8           **(2) A claim or notice under subsection (1) must contain all of**  
9 **the following:**



1           **(a) A statement of** the time when and the place where ~~such the~~  
2 claim arose. ~~and in detail~~

3           **(b) A detailed statement of** the nature of the ~~same claim~~ and  
4 of the items of damage alleged or claimed to have been sustained.  ~~,~~  
5 ~~which claim or notice shall be signed and verified by the claimant~~  
6 ~~before an officer authorized to administer oaths.~~

7           **(c) (2) Such claim or notice shall designate** **A designation of**  
8 any department, commission, board, institution, arm, or agency of  
9 the state involved in connection with ~~such the~~ claim.  ~~, and a copy~~  
10 ~~of such~~

11           **(d) A signature and verification by the claimant before an**  
12 **officer authorized to administer oaths.**

13           **(3) A claimant shall furnish copies of a claim or notice shall**  
14 ~~be furnished filed under subsection (1)~~ to the clerk at the time of  
15 ~~the filing of the original for transmittal to the attorney general~~  
16 and to each of the departments, commissions, boards, institutions,  
17 arms, or agencies **of this state designated in the claim or notice.**

18           **(4) (3) In all actions For a claim against this state** for  
19 property damage or personal injuries, **the** claimant shall file **the**  
20 **claim or notice under subsection (1)** with the clerk of the court of  
21 claims ~~a notice of intention to file a claim or the claim itself~~  
22 within 6 months ~~following the happening of~~ **after** the event giving  
23 **that gives** rise to the ~~cause of action.~~ **claim.**

24           **(5) This section does not apply to a claim for compensation**  
25 **under the wrongful imprisonment compensation act, 2016 PA 343, MCL**  
26 **691.1751 to 691.1757.**

27           Enacting section 1. Section 6431 of the revised judicature act  
28 of 1961, 1961 PA 236, MCL 600.6431, as amended by this amendatory  
29 act, applies retroactively to March 29, 2017.



1           Enacting section 2. This amendatory act does not take effect  
2 unless all of the following bills of the 100th Legislature are  
3 enacted into law:

4           (a) Senate Bill No. 68.

5           (b) House Bill No. 5118.

