



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4990 (Substitute S-1 as reported)
Sponsor: Representative Beverly Bodem
House Committee: Judiciary and Civil Rights
Senate Committee: Judiciary

CONTENT

The bill would amend the Department of Corrections law to provide that, if a prisoner were ordered by a court to make monthly payments for the purpose of paying the balance of filing fees or costs under Section 2963 of the Revised Judicature Act (which Senate Bill 1215 would add), the Department of Corrections would have to remove those amounts from the prisoner's institutional account and, when an amount equal to the balance of the filing fees or costs due was removed, remit that amount as directed in the court order.

The bill is tie-barred to Senate Bills 1214 and 1215. (Senate Bill 1214 (S-1) would require that an order of parole contain a condition that the parolee pay the balance of court-ordered filing fees and costs. Senate Bill 1215 (S-1) would provide for the payment of a prisoner's civil filing fees and costs from his or her institutional account.)

Proposed MCL 791.268

Legislative Analyst: S. Margules

FISCAL IMPACT

The fiscal impact on State government is indeterminate. The provisions outlined in the bills could increase filing fee revenues depending on the number of prisoners who commenced a civil action and the assets of the prisoners. The amounts are not expected to be significant.

In 1995, prisoners filed a total of 1,854 cases in State and Federal courts. However, given that prisoners also are required to pay supervision fees, crime victims rights fees, and other assessments, on average, prisoner accounts do not have significant account balances to cover additional fees for court filings. The current cost for filing a civil action is \$90. To the extent that charging prisoners the filing fees would reduce the number of cases filed, savings also could accrue to the State. Finally, the new administrative responsibilities required by the Department of Corrections for managing payment from prisoner accounts could increase departmental operating expenditures, the exact amount of which is presently not known.

Date Completed: 12-5-96

Fiscal Analyst: M. Ortiz
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