



HOUSE BILL No. 4583

March 14, 1995, Introduced by Reps. Cherry, Harder, Baird, LaForge, Tesanovich, DeHart, Brewer, Willard, Curtis, Gire, Yokich, Dobronski and Scott and referred to the Committee on Judiciary and Civil Rights.

A bill to amend Act No. 232 of the Public Acts of 1953,
entitled as amended

"An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

as amended, being sections 791.201 to 791.283 of the Michigan Compiled Laws, by adding section 68.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 232 of the Public Acts of 1953, as
2 amended, being sections 791.201 to 791.283 of the Michigan
3 Compiled Laws, is amended by adding section 68 to read as
4 follows:

5 SEC. 68. (1) IF A PRISONER COMMENCES A CIVIL ACTION AS
6 PLAINTIFF IN A COURT OF THIS STATE, THE PRISONER SHALL PAY, FROM
7 HIS OR HER INSTITUTIONAL ACCOUNT, COURT COSTS AND OTHER COSTS OR
8 FEES AS PROVIDED IN SUBSECTION (2) AND (3).

9 (2) UPON COMMENCEMENT OF THE CIVIL ACTION, THE PRISONER
10 SHALL PAY THE FILING FEE REQUIRED BY LAW, OR AN AMOUNT EQUAL TO
11 THE AVERAGE BALANCE IN THE PRISONER'S INSTITUTIONAL ACCOUNT FOR
12 THE 12 MONTHS PRECEDING THE DATE ON WHICH THE CIVIL ACTION IS
13 COMMENCED, WHICHEVER IS LESS.

14 (3) UPON CONCLUSION OF THE CIVIL ACTION, AN AMOUNT EQUAL TO
15 THE COURT COSTS OWED BY THE PRISONER, OR THE AMOUNT IN THE
16 PRISONER'S INSTITUTIONAL ACCOUNT, WHICHEVER IS LESS, SHALL BE
17 PAID TO THE COURT. IF A BALANCE OF COURT COSTS OR A BALANCE OF
18 THE AMOUNT DETERMINED UNDER SUBSECTION (2) REMAINS UNPAID, 1/2 OF
19 ALL AMOUNTS SUBSEQUENTLY ADDED TO THE PRISONER'S INSTITUTIONAL
20 ACCOUNT SHALL BE PAID TO THE COURT UNTIL THOSE AMOUNTS ARE PAID
21 IN FULL.

22 (4) IF A PRISONER FAILS TO PAY THE AMOUNT DETERMINED UNDER
23 SUBSECTION (2) WITHIN 21 DAYS AFTER COMMENCING THE CIVIL ACTION,
24 THE CIVIL ACTION SHALL BE DISMISSED.

25 (5) AS USED IN THIS SECTION, "COURT COSTS" DOES NOT INCLUDE
26 ATTORNEY FEES.