

REPRINT

SUBSTITUTE FOR

SENATE BILL NO. 1448

(As passed the Senate, November 14, 2002)

(As amended by the Senate, December 12, 2002)

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 1307a and 1344 (MCL 600.1307a and 600.1344),
section 1307a as amended by 1986 PA 104 and section 1344 as
amended by 1982 PA 226.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1307a. (1) To qualify as a juror a person shall:
2 (a) Be a citizen of the United States, 18 years of age or
3 older, and a resident in the county for which the person is
4 selected, and in the case of a district court in districts of the
5 second and third class, be a resident of the district. ~~—, and in~~
6 ~~the case of municipal courts of record, be a resident of the~~
7 ~~municipality.~~
8 (b) Be conversant with the English language.

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1 (c) Be physically and mentally able to carry out the
2 functions of a juror. Temporary inability shall not be
3 considered a disqualification.

4 (d) Not have served as a petit or grand juror in a court of
5 record during the preceding 12 months.

6 (e) Not ~~be under sentence for~~ HAVE BEEN CONVICTED OF a
7 felony. ~~at the time of jury selection.~~

8 (2) A person more than 70 years of age may claim exemption
9 from jury service and shall be exempt upon making the request.

10 (3) For the purposes of THIS SECTION AND sections 1371 to
11 1376, a person has served as a juror if that person has been paid
12 for jury service.

13 (4) FOR PURPOSES OF THIS SECTION, "FELONY" MEANS A VIOLATION
14 OF A PENAL LAW OF THIS STATE, ANOTHER STATE, OR THE UNITED STATES
15 FOR WHICH THE OFFENDER, UPON CONVICTION, MAY BE PUNISHED BY DEATH
16 OR BY IMPRISONMENT FOR MORE THAN 1 YEAR OR AN OFFENSE EXPRESSLY
17 DESIGNATED BY LAW TO BE A FELONY.

18 Sec. 1344. (1) A juror shall be ~~paid mileage~~ REIMBURSED
19 FOR HIS OR HER TRAVELING EXPENSES at a rate, determined by the
20 county board of commissioners, ~~which~~ THAT is not less than 10
21 cents per mile for traveling ~~expenses~~ from the juror's resi-
22 dence to the place of holding court and ~~return~~ RETURNING for
23 each day or 1/2 day of actual attendance at sessions of the
24 court. ~~The~~

25 (2) A juror also shall be compensated at a rate, determined
26 by the county board of commissioners, ~~which is~~ AS FOLLOWS:

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1 (A) UNTIL OCTOBER 1, 2003, not less than \$15.00 per day and
2 \$7.50 per 1/2 day of actual attendance at the court.

3 (B) BEGINNING OCTOBER 1, 2003, A RATE DETERMINED AS
4 FOLLOWS:

5 (i) FOR THE FIRST DAY OR 1/2 DAY OF ACTUAL ATTENDANCE AT THE
6 COURT, NOT LESS THAN \$25.00 PER DAY AND \$12.50 PER 1/2 DAY.

7 (ii) FOR EACH SUBSEQUENT DAY OR 1/2 DAY OF ACTUAL ATTENDANCE
8 AT THE COURT, NOT LESS THAN \$40.00 PER DAY AND \$20.00 PER 1/2
9 DAY.

10 (3) If an action is removed from the circuit court to a
11 lower court, the jury fee shall be paid to the circuit court
12 whether paid before or after removal of the action to the lower
13 court, and the circuit court shall be responsible for payment of
14 the compensation to the juror involved.

15 (4) A clerk or deputy clerk of the court who fraudulently
16 issues a certificate of attendance of a juror on which the juror
17 receives pay, except as allowed by law, is guilty of a misdemean-
18 or, punishable by imprisonment for not more than 6 months, or a
19 fine of not more than \$500.00, or both.

20 Enacting section 1. This amendatory act takes effect
21 October 1, 2003.

22 Enacting section 2. This amendatory act does not take
23 effect unless all of the following bills of the 91st Legislature
24 are enacted into law:

25 [(a) Senate Bill No. 1452.

26 (b) House Bill No. 4551.

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1 (c) House Bill No. 4552.

2 (d) House Bill No. 4553.

[REDACTED]