

Legislative Analysis



DEPOSITING CASH & SECURITIES WITH TREASURERS AS ALTERNATIVE TO POSTING BOND OR BAIL

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House Bill 6228

Sponsor: Rep. James Koetje

Committee: Local Government and Urban Policy

Complete to 9-27-04

A SUMMARY OF HOUSE BILL 6228 AS INTRODUCED 9-22-04

House Bill 6228 would amend the Revised Judicature Act 1) to allow local treasurers who hold cash or securities in lieu of bond or bail to charge a fee in an amount not to exceed the expenses incurred for handling and servicing a deposit of the funds; and 2) to eliminate the provision that bail or bond can be furnished, in any case, by depositing cash or securities with the state treasurer.

Currently under the law, bond or bail can be furnished to local treasurers of counties, cities, villages, or townships by depositing cash or securities with the appropriate jurisdiction's treasurer in the county with the bond or bail is furnished. The bill would retain this provision, and allow treasurers to charge a fee to cover the expenses they incur when depositing the funds. The law also specifies that bond or bail can be furnished, in any case, by depositing cash or securities with the state treasurer. House Bill 6228 would eliminate this provision.

MCL 600.2631

FISCAL IMPACT:

The bill would reduce costs for both the state and local units of government. By excusing the state treasurer from having to accept a bond in a civil case, the bill would relieve the state of the potential costs attendant on such a responsibility. By authorizing local units of government to charge fees equal to their administrative costs under the bill, the bill would relieve local treasurers of the burden of those costs.

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