

HOUSE BILL No. 5056

July 24, 2007, Introduced by Reps. Donigan, Constan, Condino, Ebli, Mayes, Warren, Kathleen Law, Meisner, Miller, Alma Smith, Johnson, Bieda, Byrnes, Cushingberry, Tobocman and Vagnozzi and referred to the Committee on Judiciary.

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
by amending section 18m of chapter XIIA (MCL 712A.18m), as amended
by 2004 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER XIIA

Sec. 18m. (1) If a juvenile is within the court's jurisdiction
under section 2(a)(1) of this chapter, and is ordered to pay any
combination of fines, costs, restitution, assessments, or payments
arising out of the same juvenile proceeding, the court shall order
the juvenile to pay costs of not less than the following amount, as
applicable:

1 (a) ~~\$60.00~~**\$65.00**, if the juvenile is found to be within the
2 court's jurisdiction for a felony.

3 (b) ~~\$45.00~~**\$50.00**, if the juvenile is found to be within the
4 court's jurisdiction for a serious misdemeanor or a specified
5 misdemeanor.

6 (c) ~~\$40.00~~**\$45.00**, if the juvenile is found to be within the
7 court's jurisdiction for a misdemeanor not described in subdivision
8 (b) or of an ordinance violation.

9 (2) Of the costs ordered to be paid, the clerk of the court
10 shall pay to the justice system fund created in section 181 of the
11 revised judicature act of 1961, 1961 PA 236, MCL 600.181, the
12 applicable amount specified as a minimum cost in subsection (1).

13 (3) If a juvenile who is ordered to pay a minimum state cost
14 under this section is subject to any combination of fines, costs,
15 restitution, assessments, or payments arising out of the same
16 juvenile proceeding, money collected from that person for the
17 payment of fines, costs, restitution, assessments, or other
18 payments shall be allocated as provided in section 29 of this
19 chapter. A fine imposed for a felony, misdemeanor, or ordinance
20 violation shall not be waived unless costs, other than the minimum
21 state cost, are waived.

22 (4) On the last day of each month, the clerk of the court
23 shall transmit the minimum state cost or portions of minimum state
24 cost collected under this section to the department of treasury for
25 deposit in the justice system fund created in section 181 of the
26 revised judicature act of 1961, 1961 PA 236, MCL 600.181.

27 (5) As used in this section:

1 (a) "Felony" means a violation of a penal law of this state
2 for which the offender may be punished by imprisonment for more
3 than 1 year or an offense expressly designated by law to be a
4 felony.

5 (b) "Minimum state cost" means the applicable minimum cost to
6 be ordered under subsection (1).

7 (c) "Ordinance violation" means that term as defined in
8 section 1 of chapter I of the code of criminal procedure, 1927 PA
9 175, MCL 761.1.

10 (d) "Serious misdemeanor" means that term as defined in
11 section 61 of the **WILLIAM VAN REGENMORTER** crime victim's rights
12 act, 1985 PA 87, MCL 780.811.

13 (e) "Specified misdemeanor" means that term as defined in
14 section 1 of 1989 PA 196, MCL 780.901.

15 Enacting section 1. This amendatory act does not take effect
16 unless all of the following bills of the 94th Legislature are
17 enacted into law:

18 (a) Senate Bill No.____ or House Bill No. 5054(request no.
19 00815'07 *).

20 (b) Senate Bill No.____ or House Bill No. 5055(request no.
21 00815'07 a).

22 (c) Senate Bill No.____ or House Bill No. 5057(request no.
23 00815'07 c).