



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5318 (as passed by the House)
Sponsor: Representative Richard Hammel
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 11-29-10

CONTENT

The bill would amend the Revised Judicature Act to authorize the recovery of certain fees imposed in a criminal case or civil infraction action in the same manner as a civil judgment for money.

Under the Act, unless otherwise specially provided for by law, if a person incurs a penalty, fee, or costs and the act or omission for which the penalty, fee, or costs are imposed is not also a misdemeanor, the penalty, fee, or costs may be recovered in the same manner as civil judgments for money in the same court. Under the bill, if a person incurred a penalty for an act or omission that was not also a felony, misdemeanor, or civil infraction, the penalty could be recovered in a civil action.

Also, unless otherwise specially provided by law, any fine, cost, restitution, reimbursement, assessment, or other fee that was imposed in a criminal case or civil infraction action as authorized by law or court rule could be recovered in the same manner as a civil judgment for money in the same court.

MCL 600.4805

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate positive impact on local units of government related to the collection of fines, costs, reimbursements, and assessments.

Fiscal Analyst: Bill Bowerman

S0910\5318sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.