

HOUSE BILL NO. 4487

April 27, 2023, Introduced by Reps. Scott, Brixie, Morse, Tsernoglou, Miller, Paiz, Farhat, Martus, Rheingans, Wilson, Conlin, McFall, Andrews, Hope, Price, Young, Haadsma, Hood, Dievendorf, Arbit, Steckloff, Byrnes, Brabec, Stone, Rogers, Aiyash and Whitsett and referred to the Committee on Criminal Justice.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 6431 (MCL 600.6431), as amended by 2020 PA 42.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6431. (1) Except as otherwise provided in this section, a
2 claim may not be maintained against this state unless the claimant,
3 within 1 year after the claim has accrued, files in the office of
4 the clerk of the court of claims either a written claim or a
5 written notice of intention to file a claim against this state or

1 any of its departments, commissions, boards, institutions, arms, or
2 agencies.

3 (2) A claim or notice under subsection (1) must contain all of
4 the following:

5 (a) A statement of the time when and the place where the claim
6 arose.

7 (b) A detailed statement of the nature of the claim and of the
8 items of damage alleged or claimed to have been sustained.

9 (c) A designation of any department, commission, board,
10 institution, arm, or agency of the state involved in connection
11 with the claim.

12 (d) A signature and verification by the claimant before an
13 officer authorized to administer oaths.

14 (3) A claimant shall furnish copies of a claim or notice filed
15 under subsection (1) to the clerk at the time of filing for
16 transmittal to the attorney general and to each of the departments,
17 commissions, boards, institutions, arms, or agencies of this state
18 designated in the claim or notice.

19 (4) For a claim against this state for property damage or
20 personal injuries, the claimant shall file the claim or notice
21 under subsection (1) with the clerk of the court of claims within 6
22 months after the event that gives rise to the claim.

23 (5) This section does not apply to ~~a~~**either of the following:**

24 (a) A claim for compensation under the wrongful imprisonment
25 compensation act, 2016 PA 343, MCL 691.1751 to 691.1757.

26 (b) A claim to which section 5851b applies.

27 Enacting section 1. This amendatory act is curative, must be
28 retroactively applied, applies to actions pending on the effective
29 date of this amendatory act, and is intended to express the

1 original intent of the legislature regarding the application of the
2 revised judicature act of 1961, 1961 PA 236, MCL 600.101 to
3 600.9947.