

## 2000 PUBLIC AND LOCAL ACTS

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[No. 85]

(HB 4414)

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 2552 (MCL 600.2552), as amended by 1994 PA 154.

*The People of the State of Michigan enact:*

600.2552 Witness fees; traveling expenses; attorneys as witnesses; incarcerated witness; inquests; per-mile rate of reimbursement.  
[M.S.A. 27A.2552]

Sec. 2552. (1) A witness who attends any action or proceeding pending in a court of record shall be paid a witness fee of \$12.00 for each day and \$6.00 for each half day, or may be paid for his or her loss of working time but not more than \$15.00 for each day shall be taxable as costs as his or her witness fee. Except as provided in sections 7 and 13 of chapter XV of the code of criminal procedure, 1927 PA 175, MCL 775.7 and 775.13, a witness shall be reimbursed as provided in subsection (5) for his or her traveling expenses in coming to the place of attendance and returning from the place of attendance, to be estimated from the residence of the witness, if his or her residence is within this state, or from the boundary line of this state that the witness passed in coming into this state, if his or her residence is out of this state.

(2) An attorney or counsel in any action or proceeding in which he or she may be interested as attorney or counsel shall not be paid any fee for attending as a witness in that action or proceeding.

(3) A witness who is incarcerated under sentence in a county jail or a state or federal correctional facility when he or she attends an action or proceeding shall not be paid a witness fee and shall not be reimbursed for traveling from or returning to the place where he or she is incarcerated.

(4) A witness who attends a proceeding before any person authorized to hold inquests on the view of dead bodies, or before any officer, person, or board authorized to take the examination of witnesses, shall be paid a witness fee of \$12.00 for each day's attendance and \$6.00 for each half day; and shall be reimbursed as provided in subsection (5) for his or her traveling expenses in that case in coming to the place of attendance and returning from the place of attendance, to be estimated from the residence of the witness, if his or her residence is within this state, or from the boundary line of this state that the witness passed in coming into this state, if his or her residence is out of this state.

(5) Beginning on the effective date of the amendatory act that added this subsection, the per-mile rate of reimbursement of traveling expenses for witnesses shall be the same as the per-mile rate of reimbursement of traveling expenses established by directives of the department of management and budget for state officers and unclassified employees of state agencies while engaged in the performance of state business, pursuant to section 217 of the management and budget act, 1984 PA 431, MCL 18.1217.

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Effective date.

Enacting section 1. This amendatory act takes effect October 1, 2000.

This act is ordered to take immediate effect.

Approved May 1, 2000.

Filed with Secretary of State May 1, 2000.

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