
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 768 (as reported without amendment)
Sponsor: Senator Loren Bennett
Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend the Revised Judicature Act to allow recreational trespass actions by property owners or lessees to be brought in the small claims court, and to require the State Court Administrator to prepare instruction sheets for these actions.

Currently, the State Court Administrator must prepare instruction sheets clearly explaining the small claims division's functions and procedures. A copy of the instruction sheet must be given to the claimant and also must be made available at the office of each clerk and deputy clerk of the district court. The clerk must send a copy of the defendant's instruction sheet and the served affidavit copy to the defendant.

Under the Act, actions of fraud, libel, slander, assault, battery, or other intentional torts may not be instituted in the small claims division. The bill would allow an exception for an action under Section 73109 of the Natural Resources and Environmental Protection Act (which, under Senate Bill 767 (S-6), would allow a property owner or lessee to bring an action for a recreational trespass violation).

The bill is tie-barred to Senate Bill 767.

MCL 600.4701 et al.

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have a minimal fiscal impact on the State Court Administrative Office regarding preparation of instruction sheets for actions under Section 73109 of the Natural Resources and Environmental Protection Act.

Date Completed: 5-21-98

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