



HOUSE BILL No. 5208

December 10, 1999, Introduced by Rep. Richner and referred to the Committee on Family and Civil Law.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948) by adding section 2969.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2969. (1) A GOVERNMENTAL UNIT THAT INCURS THE COST OF
2 OR IS BILLED FOR A SEARCH, RESCUE, OR BOTH, OF 1 OF ITS RESIDENTS
3 WHO IS 10 YEARS OF AGE OR OLDER MAY SEEK REIMBURSEMENT FOR THE
4 ACTUAL COST INCURRED FROM THE RESIDENT IF THE NEED FOR THE
5 SEARCH, RESCUE, OR BOTH, NECESSITATED THE USE OF EXTRAORDINARY
6 METHODS AND WAS CAUSED BY 1 OR MORE OF THE FOLLOWING:

7 (A) THE RESIDENT'S INTENTIONAL ACT IN KNOWING VIOLATION OF A
8 FEDERAL OR STATE LAW OR LOCAL ORDINANCE.

9 (B) AN ACT OR OMISSION BY THE PERSON SEARCHED FOR OR
10 RESCUED, OR BOTH, THAT SHOWS WANTON AND RECKLESS MISCONDUCT IN
11 DISREGARD FOR HIS OR HER SAFETY.

1 (2) THE GOVERNMENTAL UNIT SHALL NOT COLLECT THE COSTS
2 DESCRIBED IN SUBSECTION (1) FROM A PERSON WHO THE GOVERNMENTAL
3 UNIT DETERMINES IS UNABLE TO PAY THE COSTS.

4 (3) THE GOVERNMENTAL UNIT SHALL NOT COLLECT MORE THAN
5 \$1,000.00 FROM A RESIDENT UNDER THIS SECTION.

6 (4) AS USED IN THIS SECTION:

7 (A) "GOVERNMENTAL UNIT" MEANS A DEPARTMENT OR AGENCY OF THIS
8 STATE OR OF ANY POLITICAL SUBDIVISION OF THIS STATE, INCLUDING,
9 BUT NOT LIMITED TO, A COUNTY, CITY, TOWNSHIP, OR VILLAGE.

10 (B) "PERSON" MEANS ANY INDIVIDUAL.