



Senate Fiscal Agency
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House Bill 5648 (as reported without amendment)

Sponsor: Representative Jim Howell

House Committee: Judiciary

Senate Committee: Judiciary

CONTENT

The bill would amend the juvenile code to qualify the conditions under which the family court must order certain juvenile offenders to pay the "minimum state cost". Under the Code, if a juvenile is within the family court's jurisdiction for a violation of a State or Federal law or a municipal ordinance, the court must order the juvenile to pay costs of at least the following amount, as applicable: \$60, if the juvenile is within the court's jurisdiction for a felony; \$45, if the juvenile is within the court's jurisdiction for a "serious misdemeanor" (as defined in the Crime Victim's Rights Act) or a "specified misdemeanor" (as defined in the crime victim's rights services Act); or \$40, if the juvenile is within the court's jurisdiction for any other misdemeanor or an ordinance violation. Under the bill, the family court would have to order a juvenile to pay the minimum State cost only if the juvenile were ordered to pay any combination of fines, costs, restitution, assessments, or payments arising out of the same juvenile proceeding.

Also, the bill specifies that a juvenile who had been ordered to pay the minimum State cost as a condition of probation or supervision and who was not in willful default of the payment could petition the court at any time for a remission of the payment of any unpaid portion of the minimum State cost. If the court determined that payment of the amount due would impose a manifest hardship on the juvenile or his or her family, the court could remit all or part of the minimum State cost due or modify the method of payment.

MCL 712A.18 & 712A.18m

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government.

To the extent that the bill would allow a court to order payment of the minimum State cost only if also ordering payment of other monetary sanctions, and to waive payment in cases of hardship, the bill would decrease potential revenue to the Justice System Fund. Revenue estimates from the State Court Administrative Office, however, were based on an assumption that included the proposed amendments; therefore, the bill would not create a shortfall in expected revenue to any of the Justice System Fund recipients.

Date Completed: 4-22-04

Fiscal Analyst: Bethany Wicksall