

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1616

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
by amending section 18m of chapter XIIIA (MCL 712A.18m), as amended
by 2004 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XIIIA

2 Sec. 18m. (1) If a juvenile is within the court's jurisdiction
3 under section 2(a)(1) of this chapter, and is ordered to pay any
4 combination of fines, costs, restitution, assessments, or payments
5 arising out of the same juvenile proceeding, the court shall order
6 the juvenile to pay costs of not less than the following amount, as
7 applicable:

8 (a) ~~\$60.00~~ **\$68.00**, if the juvenile is found to be within the
9 court's jurisdiction for a felony.

10 (b) ~~\$45.00~~ **\$53.00**, if the juvenile is found to be within the

1 court's jurisdiction for a serious misdemeanor or a specified
2 misdemeanor.

3 (c) ~~\$40.00~~ **\$48.00**, if the juvenile is found to be within the
4 court's jurisdiction for a misdemeanor not described in subdivision
5 (b) or of an ordinance violation.

6 (2) Of the costs ordered to be paid, the clerk of the court
7 shall pay to the justice system fund created in section 181 of the
8 revised judicature act of 1961, 1961 PA 236, MCL 600.181, the
9 applicable amount specified as a minimum cost in subsection (1).

10 (3) If a juvenile who is ordered to pay a minimum state cost
11 under this section is subject to any combination of fines, costs,
12 restitution, assessments, or payments arising out of the same
13 juvenile proceeding, money collected from that person for the
14 payment of fines, costs, restitution, assessments, or other
15 payments shall be allocated as provided in section 29 of this
16 chapter. A fine imposed for a felony, misdemeanor, or ordinance
17 violation shall not be waived unless costs, other than the minimum
18 state cost, are waived.

19 (4) On the last day of each month, the clerk of the court
20 shall transmit the minimum state cost or portions of minimum state
21 cost collected under this section to the department of treasury for
22 deposit in the justice system fund created in section 181 of the
23 revised judicature act of 1961, 1961 PA 236, MCL 600.181.

24 (5) As used in this section:

25 (a) "Felony" means a violation of a penal law of this state
26 for which the offender may be punished by imprisonment for more
27 than 1 year or an offense expressly designated by law to be a

1 felony.

2 (b) "Minimum state cost" means the applicable minimum cost to
3 be ordered under subsection (1).

4 (c) "Ordinance violation" means that term as defined in
5 section 1 of chapter I of the code of criminal procedure, 1927 PA
6 175, MCL 761.1.

7 (d) "Serious misdemeanor" means that term as defined in
8 section 61 of the **WILLIAM VAN REGENMORTER** crime victim's rights
9 act, 1985 PA 87, MCL 780.811.

10 (e) "Specified misdemeanor" means that term as defined in
11 section 1 of 1989 PA 196, MCL 780.901.

12 Enacting section 1. This amendatory act takes effect April 1,
13 2009.

14 Enacting section 2. This amendatory act does not take effect
15 unless all of the following bills of the 94th Legislature are
16 enacted into law:

17 (a) Senate Bill No. 1617.

18 (b) Senate Bill No. 1618.

19 (c) House Bill No. 5054.

20 (d) House Bill No. 5055.