

HOUSE BILL No. 4090

January 23, 2013, Introduced by Rep. Kowall and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 151e (MCL 600.151e), as amended by 2004 PA 465.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 151e. (1) The money in the juror compensation
2 reimbursement fund shall be distributed each year as provided in
3 this section.

4 (2) Each court funding unit shall submit a report semiannually
5 to the state court administrator, for each court for which it is a
6 funding unit, ~~giving the~~ **THAT PROVIDES BOTH OF THE FOLLOWING:**

7 **(A) THE** total amount of the expense incurred during the fiscal
8 year by that funding unit due to the increase in the statutory
9 minimum compensation rate for jurors that took effect October 1,
10 2003, ~~pursuant to~~ **UNDER** section 1344.

1 (B) THE TOTAL AMOUNT OF THE EXPENSE INCURRED DURING THE FISCAL
2 YEAR BY THAT FUNDING UNIT DUE TO THE INCREASE IN STATUTORY MINIMUM
3 REIMBURSEMENT RATE FOR TRAVELING EXPENSES FOR JURORS THAT TOOK
4 EFFECT OCTOBER 1, 2013 UNDER SECTION 1344.

5 (3) If any of the juror compensation payments made by that
6 court funding unit were in excess of the statutory minimum amount
7 prescribed in section 1344, the report **REQUIRED UNDER SUBSECTION**
8 **(2) (A) OR (B)** also shall include the total amount paid to jurors in
9 excess of that statutory minimum.

10 (4) ~~(3)~~—Each year, the state court administrator, at the
11 direction of the supreme court and upon confirmation by the state
12 treasurer of the total amount available in the fund, shall
13 distribute from the fund the amount prescribed in subsection ~~(4)~~
14 **(5)**. However, reimbursements under this subsection are subject to
15 both of the following:

16 (a) For fiscal years beginning after September 30, 2004, the
17 state court administrator shall be reimbursed semiannually from the
18 fund for reasonable costs associated with the administration of
19 this section, not to exceed an annual total of \$40,000.00.

20 (b) If the amount available in the fund in any fiscal year is
21 more than the amount needed to pay the entire reimbursement
22 required for all court funding units under subsection ~~(4)~~ **(5)**,
23 subject to section 151d(3) for the fiscal year ending September 30,
24 2005, the unencumbered balance shall be carried forward to the next
25 fiscal year and shall not revert to the general fund.

26 (5) ~~(4)~~—Each court funding unit is entitled to receive
27 reimbursement from the fund for the expense amount reported under

1 subsection (2) for the preceding 6 months, excluding any juror
2 compensation in excess of the statutory minimum.

3 (6) ~~(5)~~—Payments from the fund shall be made every 6 months.
4 Reimbursement for each 6-month period ~~beginning with the quarter~~
5 ~~that ends March 31, 2004~~ shall be made from the fund not later than
6 2 months after the end of the 6-month period.

7 ~~(6) In addition to the amounts to be paid out under subsection~~
8 ~~(5) for the 6 month period ending March 31, 2004 and for the 6-~~
9 ~~month period ending September 30, 2004, the state court~~
10 ~~administrator shall pay an additional sum equal to 14% of the~~
11 ~~payment due under subsection (5) to each court funding unit. These~~
12 ~~2 extra payments are intended to offset expenses incurred by court~~
13 ~~funding units for costs in adapting to the changes in the statutory~~
14 ~~minimum rate for juror compensation as implemented by 2002 PA 739.~~

15 (7) As used in this section, "court funding unit" means 1 of
16 the following, as applicable:

17 (a) For circuit or probate court, the county.

18 (b) For district court, the district funding unit as that term
19 is defined in section 8104.

20 (c) For a municipal court, the city in which the municipal
21 court is located.

22 Enacting section 1. This amendatory act takes effect October
23 1, 2013.

24 Enacting section 2. This amendatory act does not take effect
25 unless Senate Bill No. ____ or House Bill No. 4091 (request no.
26 00094'13 a) of the 97th Legislature is enacted into law.