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House Bill 5046 (Substitute H-1 as reported without amendment)

Sponsor: Representative Nate Shannon

House Committee: Criminal Justice

Senate Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend Chapter 25 (Fees) of the Revised Judicature Act to do the following:

- Increase, from \$1.75 per original page and 30 cents per page per copy to \$3.75 per original page and 90 cents per page per copy, the amount court reporters and recorders would be entitled to receive for court transcripts.
- Prescribe a \$50 minimum charge for an original transcript and 90 cents per page for any requested copy.
- Require a reporter or recorder to prioritize appellate transcripts paid for by a court funding unit during normal court business hours.
- Require the State Treasurer to adjust the amounts for transcripts and copies by the Consumer Price Index on January 1, 2030, and every five years after.
- Specify that official court reporters or recorders would be responsible for the purchase of transcription production products while a court funding unit would have to purchase supplies and equipment for record preservation.

MCL 600.2543

BRIEF RATIONALE

Court transcripts provide official documentation of legal proceedings and are used for legal reference, case review, and public records, among other things. According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, the current per page transcript rates no longer sufficiently cover the work of court reporters and recorders in the production of these documents as rates have not been updated since 1986. It has been suggested to increase the per page rate for transcripts and copies and adjust rates according to inflation in the future.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have a minimal, negative fiscal impact on State and local courts. The fiscal impact to courts would come when only court judges order transcripts from court reporters. The increased costs for electronic or hard copy transcripts of court proceedings would primarily affect litigants: either plaintiffs or defendants who typically wish to appeal a lower court decision.

Although the bill would add language to indicate that court funding units would have to cover the cost to purchase supplies and equipment to preserve the record, State and local court systems already do this. All courts are already financially responsible for creating the record for hearings and trials; the bill's language primarily would apply to the reproduction of that record for litigant review and/or further appeal.

A court funding unit, which is defined in the Revised Judicature Act under Section 151e (MCL 600.151e) is either the county or city within which the court is located. For circuit and probate courts, that local government is the county within which the court resides. For municipal courts, the funding unit is the city within which the court resides. For district courts, the funding unit can be a county, city, or township, depending on the classification of that district court, of either first, second, or third class. District court classifications are defined in the Revised Judicature Act under Section 8104 (MCL 600.8104) and are organized by population.

Date Completed: 11-4-24

Fiscal Analyst: Michael Siracuse

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.