

**SUBSTITUTE FOR
SENATE BILL NO. 1192**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 6431 (MCL 600.6431), as amended by 2020 PA 42.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6431. (1) Except as otherwise provided in this section, a
2 claim may not be maintained against this state unless the claimant,
3 within 1 year after the claim has accrued, files in the office of
4 the clerk of the court of claims either a written claim or a
5 written notice of intention to file a claim against this state or
6 any of its departments, commissions, boards, institutions, arms, or
7 agencies.

8 (2) A claim or notice under subsection (1) must contain all of
9 the following:

1 (a) A statement of the time when and the place where the claim
2 arose.

3 (b) A detailed statement of the nature of the claim and of the
4 items of damage alleged or claimed to have been sustained.

5 (c) A designation of any department, commission, board,
6 institution, arm, or agency of the state involved in connection
7 with the claim.

8 (d) A signature and verification by the claimant before an
9 officer authorized to administer oaths.

10 (3) A claimant shall furnish copies of a claim or notice filed
11 under subsection (1) to the clerk at the time of filing for
12 transmittal to the attorney general and to each of the departments,
13 commissions, boards, institutions, arms, or agencies of this state
14 designated in the claim or notice.

15 (4) For a claim against this state for property damage or
16 personal injuries, the claimant shall file the claim or notice
17 under subsection (1) with the clerk of the court of claims within 6
18 months after the event that gives rise to the claim.

19 (5) This section does not apply to ~~a~~**either of the following:**

20 (a) A claim for compensation under the wrongful imprisonment
21 compensation act, 2016 PA 343, MCL 691.1751 to 691.1757.

22 (b) A claim to which section 5851b applies.

23 Enacting section 1. This amendatory act applies retroactively
24 to actions pending on the effective date of this amendatory act and
25 to actions brought under section 5851b(4) of the revised judicature
26 act of 1961, 1961 PA 236, MCL 600.5851b.

27 Enacting section 2. This amendatory act does not take effect
28 unless Senate Bill No. 1187 of the 102nd Legislature is enacted
29 into law.