



SENATE BILL No. 1170

September 19, 1996, Introduced by Senator BULLARD and referred to the Committee on Local, Urban and State Affairs.

A bill to amend section 5759 of Act No. 236 of the Public Acts of 1961, entitled as amended
"Revised judicature act of 1961,"
being section 600.5759 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 5759 of Act No. 236 of the Public Acts
2 of 1961, being section 600.5759 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 5759. (1) In proceedings under this chapter,, costs may
5 be allowed in the same amounts as are provided by law in other
6 civil actions in the same court, except that the costs provided
7 by section 2441 shall not apply. The court may also allow as
8 taxable costs an amount not exceeding the following:

9 (a) For a motion which results in dismissal or judgment,

10 ~~\$20.00~~ \$150.00.

1 (b) For a judgment taken by default, ~~-\$15.00-~~ \$125.00.

2 (c) For the trial of a claim for possession only, ~~-\$20.00-~~
3 \$150.00.

4 (d) For the trial of a claim for damages only, ~~-\$20.00-~~
5 \$150.00.

6 (e) For a trial including both a claim for possession and a
7 claim for money judgment, ~~-\$30.00-~~ \$175.00.

8 (2) In determining taxable costs in tenancy cases, the judge
9 shall take into consideration whether the jury or judge found
10 that a portion of the rent allegedly due to the plaintiff was
11 excused by reason of the plaintiff's breach of the lease or
12 breach of his OR HER statutory covenants.