

# HOUSE BILL No. 5829

May 6, 1998, Introduced by Rep. Leland and referred to the Committee on Transportation.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 8379 (MCL 600.8379), as amended by 1990 PA  
54.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 8379. (1) Fines and costs assessed in the district  
2 court shall be paid to the clerk of the court who shall appropri-  
3 ate them as follows:

4       (a) A fine imposed for the violation of a penal law of this  
5 state and a civil fine ordered in a civil infraction action for  
6 violation of a law of this state shall be paid to the county  
7 treasurer and, EXCEPT AS OTHERWISE PROVIDED BY LAW, applied for  
8 library purposes as provided by law.

9       (b) In districts of the first and second class, costs  
10 imposed for the violation of a penal law of this state or ordered

1 in a civil infraction action for the violation of a law of this  
2 state shall be paid to the treasurer of the county in which the  
3 action was commenced. In districts of the third class, costs  
4 imposed for the violation of a penal law of this state or ordered  
5 in a civil infraction action for the violation of a law of this  
6 state shall be paid to the treasurer of the political subdivision  
7 where the guilty plea or civil infraction admission was entered  
8 or where the trial or civil infraction action hearing took  
9 place.

10 (c) Except as provided in subsection (2), in districts of  
11 the first and second class, 1/3 of all fines and costs, other  
12 than those imposed for the violation of a penal law of this state  
13 or ordered in a civil infraction action for the violation of a  
14 law of this state, shall be paid to the political subdivision  
15 whose law was violated and 2/3 shall be paid to the county in  
16 which the political subdivision is located. In districts of the  
17 third class, all fines and costs, other than those imposed for  
18 the violation of a penal law of this state or ordered in a civil  
19 infraction action for the violation of a law of this state, shall  
20 be paid to the political subdivision whose law was violated,  
21 except that where fines and costs are assessed in a political  
22 subdivision other than the political subdivision whose law was  
23 violated, 2/3 shall be paid to the political subdivision where  
24 the guilty plea or civil infraction admission was entered or  
25 where the trial or civil infraction action hearing took place and  
26 the balance shall be paid to the political subdivision whose law  
27 was violated.

1 (d) In a district of the third class, if each political  
2 subdivision within the district, by resolution of its governing  
3 body, agrees to a distribution of fines and costs, other than  
4 fines imposed for the violation of a penal law of this state or  
5 ordered in a civil infraction action for the violation of a law  
6 of this state, differently than as provided by this section, the  
7 distribution of those fines and costs among the political subdi-  
8 visions of that district shall be as agreed to. An existing  
9 agreement applicable to the distribution of fines and costs shall  
10 apply with the same effect to the distribution of civil fines and  
11 costs ordered in civil infraction actions.

12 (2) In the fifty-second district, 30% of all fines and  
13 costs, other than those imposed for the violation of a penal law  
14 of this state or ordered in a civil infraction action for the  
15 violation of a law of this state, shall be paid to the political  
16 subdivision whose law was violated and 70% shall be paid to the  
17 county in which the political subdivision is located. This sub-  
18 section shall apply only if the consolidation of the  
19 forty-fifth-b district with the fifty-second district, as pro-  
20 vided in section 8123, takes place pursuant to section 8177.

21 (3) A CIVIL FINE IMPOSED BY THE DISTRICT COURT FOR A VIOLA-  
22 TION OF ANY OF THE FOLLOWING SHALL BE PAID TO THE STATE TREASUR-  
23 ER, AND CREDITED BY THE STATE TREASURER TO THE MICHIGAN TRANSPOR-  
24 TATION FUND:

25 (A) THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO  
26 257.923, OR A LOCAL LAW SUBSTANTIALLY CORRESPONDING TO THAT ACT.

1 (B) SECTION 7B OR 11 OF THE MOTOR CARRIER SAFETY ACT OF  
2 1963, 1963 PA 181, MCL 480.17B AND 480.21.

3 (C) AN ORDINANCE OR RESOLUTION ADOPTED BY A TOWNSHIP, CITY,  
4 VILLAGE, OR COUNTY THAT IS CONSISTENT WITH SECTION 7B OF THE  
5 MOTOR CARRIER SAFETY ACT OF 1963, 1963 PA 181, MCL 480.17B.