

HOUSE BILL No. 4741

May 22, 2003, Introduced by Rep. Hunter and referred to the Committee on Judiciary.

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
by amending section 29 of chapter XIIIA (MCL 712A.29), as added by
1993 PA 344.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XIIIA

2 Sec. 29. (1) If a child is subject to any combination of
3 fines, costs, restitution, assessments, or payments arising out
4 of the same order of disposition, money collected from that
5 child, or his or her parent or parents, for the payment of fines,
6 costs, restitution, assessments, or other payments shall be
7 allocated as provided in this section.

8 (2) Except as otherwise provided in this subsection, if a
9 child is subject to payment of victim payments and any
10 combination of other fines, costs, assessments, or other

1 payments, 50% of the money collected from that child, or his or
2 her parent or parents, shall be applied to payment of victim
3 payments, and the balance shall be applied to payment of fines,
4 costs, and other assessments or payments. If fines, costs, or
5 other assessments or payments remain unpaid after all victim
6 payments have been paid, additional money collected shall be
7 applied to payment of those fines, costs, or other assessments or
8 payments. If victim payments remain unpaid after all fines,
9 costs, or other assessments or payments have been paid,
10 additional money collected shall be applied toward payment of
11 those victim payments.

12 (3) In cases involving orders of disposition for offenses
13 that would be violations of state law if committed by an adult,
14 money allocated under subsection (2) for payment of fines, costs,
15 and assessments or payments other than victim payments shall be
16 applied in the following order of priority:

17 (a) **Payment of the minimum state cost prescribed in section**
18 **1j of chapter IX of the code of criminal procedure, 1927 PA 175,**
19 **MCL 769.1j.**

20 (b) ~~(a)~~ Payment of costs.

21 (c) ~~(b)~~ Payment of fines.

22 (d) ~~(c)~~ Payment of assessments and other payments.

23 (4) In cases involving orders of disposition for offenses
24 that would be violations of local ordinances if committed by an
25 adult, money allocated under subsection (2) for payment of fines,
26 costs, and assessments or payments other than victim payments
27 shall be applied in the following order of priority:

1 (a) Payment of the minimum state cost prescribed in section
2 1j of chapter IX of the code of criminal procedure, 1927 PA 175,
3 MCL 769.1j.

4 (b) ~~-(a)-~~ Payment of fines and costs.

5 (c) ~~-(b)-~~ Payment of assessments and other payments.

6 (5) Money allocated for payment of costs under subsection (3)
7 shall be paid to the county treasurer for deposit in the general
8 fund of the county. Money allocated for payment of fines under
9 subsection (3) shall be paid to the county treasurer to be used
10 for library purposes as provided by law.

11 (6) One-third of the money allocated for payment of fines and
12 costs under subsection (4) shall be paid to the treasurer of the
13 political subdivision whose ordinance was violated, and 2/3 of
14 that money shall be paid to the county treasurer for deposit in
15 the general fund of the county.

16 (7) As used in this section, "victim payment" means
17 restitution ordered under sections 30 and 31 and under the crime
18 victim's rights act, ~~Act No. 87 of the Public Acts of 1985,~~
19 ~~being sections 780.751 to 780.834 of the Michigan Compiled Laws~~
20 **1985 PA 87, MCL 780.751 to 780.834**, paid to the victim or the
21 victim's estate, but not to a person who reimbursed the victim
22 for his or her loss, or an assessment ordered under section 5 of
23 ~~Act No. 196 of the Public Acts of 1989, being section 780.905 of~~
24 ~~the Michigan Compiled Laws~~ **1989 PA 196, MCL 780.905.**

25 Enacting section 1. This amendatory act takes effect
26 October 1, 2003.