

HOUSE BILL No. 6100

May 23, 2006, Introduced by Rep. Van Regenmorter and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 4803 (MCL 600.4803), as amended by 1996 PA 374.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4803. (1) A person who fails to pay a penalty, fee, or
2 costs in full within 56 days after that amount is due and owing is
3 subject to a late penalty equal to 20% of the amount owed. The
4 court shall inform a person subject to a penalty, fee, or costs
5 that the late penalty will be applied to any amount that continues
6 to be unpaid 56 days after the amount is due and owing. Penalties,
7 fees, and costs are due and owing at the time they are ordered
8 unless the court directs otherwise. The court shall order a
9 specific date on which the penalties, fees, and costs are due and

owing. If the court authorizes delayed or installment payments of a penalty, fee, or costs, the court shall inform the person of the date on which, or time schedule under which, the penalty, fee, or costs, or portion of the penalty, fee, or costs, will be due and owing. A late penalty may be waived by the court upon the request of the person subject to the late penalty.

(2) THE FUNDING UNIT FOR A COURT MAY BY ORDINANCE OR RESOLUTION ENABLE THE COURT TO ASSESS COMPLIANCE FEES UNDER THIS SUBSECTION. IF A PENALTY, A FEE, OR COSTS ARE NOT PAID WITHIN 20 DAYS AFTER A LATE PENALTY IS APPLIED UNDER SUBSECTION (1), A COURT WHOSE FUNDING UNIT HAS ADOPTED AN ENABLING ORDINANCE OR RESOLUTION UNDER THIS SUBSECTION MAY ASSESS A COMPLIANCE FEE OF 20% OF THE UNPAID PENALTY, FEE, OR COSTS OR \$100.00, WHICHEVER IS GREATER, AGAINST THE PERSON SUBJECT TO THE PENALTY, FEE, OR COSTS TO DEFRAY THE COST OF COMPLIANCE REINFORCEMENT.

(3) —(2)— Within 30 days after receiving a late penalty **OR COMPLIANCE FEE**, the clerk of the court shall transmit the amount received to the treasurer or chief financial officer of the funding unit of the court — for deposit in the general fund of the funding unit.

(4) —(3)— As used in this section, "funding unit" means 1 of the following as applicable:

(a) For the circuit court, each county in the circuit.
~~—(b) For the recorder's court of the city of Detroit, the county.~~

(B) —(e)— For the district court, the district funding unit of the district, as defined in section 8104.

1 **(C)** ~~—(d)—~~ For a municipal court, the political unit where the
2 municipal court is located.