

HOUSE BILL No. 4209

February 15, 2017, Introduced by Rep. Lucido and referred to the Committee on Law and Justice.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1344 (MCL 600.1344), as amended by 2002 PA 739.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1344. (1) A juror ~~shall~~**MUST** be reimbursed for his or her
2 traveling expenses at a rate, determined by the county board of
3 commissioners, that is not less than 10 cents per mile for
4 traveling from the juror's residence to the place of holding court
5 and returning for each day or 1/2 day of actual attendance at
6 sessions of the court.

7 (2) A juror also ~~shall~~**MUST** be compensated at a rate,
8 determined by the county board of commissioners, as follows:

9 ~~(a) Until October 1, 2003, not less than \$15.00 per day and~~
10 ~~\$7.50 per 1/2 day of actual attendance at the court.~~

11 **(A) ~~(b) Beginning October 1, 2003, a~~ EXCEPT AS PROVIDED IN**

1 **SUBDIVISION (B), A** rate determined as follows:

2 (i) For the first day or 1/2 day of actual attendance at the
3 court, not less than \$25.00 per day and \$12.50 per 1/2 day.

4 (ii) For each subsequent day or 1/2 day of actual attendance
5 at the court, not less than \$40.00 per day and \$20.00 per 1/2 day.

6 **(B) BEGINNING APRIL 1, 2018, AND EVERY SUBSEQUENT FISCAL YEAR,**
7 **IF, AS OF THE END OF THE 2 MOST RECENT FISCAL YEARS, THE STATE**
8 **COURT ADMINISTRATOR, AT THE DIRECTION OF THE SUPREME COURT AND UPON**
9 **CONFIRMATION BY THE STATE TREASURER, DETERMINES THAT SUFFICIENT**
10 **FUNDS ARE AVAILABLE IN THE JUROR COMPENSATION REIMBURSEMENT FUND**
11 **CREATED IN SECTION 151D, A RATE DETERMINED AS FOLLOWS:**

12 (i) **FOR THE FIRST DAY OR 1/2 DAY OF ACTUAL ATTENDANCE AT THE**
13 **COURT, NOT LESS THAN \$30.00 PER DAY AND \$15.00 PER 1/2 DAY.**

14 (ii) **FOR EACH SUBSEQUENT DAY OR 1/2 DAY OF ACTUAL ATTENDANCE**
15 **AT THE COURT, NOT LESS THAN \$45.00 PER DAY AND \$22.50 PER 1/2 DAY.**

16 (3) If an action is removed from the circuit court to a lower
17 court, the jury fee ~~shall~~**MUST** be paid to the circuit court whether
18 paid before or after removal of the action to the lower court, and
19 the circuit court ~~shall be~~**IS** responsible for payment of the
20 compensation to the juror involved.

21 (4) A clerk or deputy clerk of the court who fraudulently
22 issues a certificate of attendance of a juror on which the juror
23 receives pay, except as allowed by law, is guilty of a misdemeanor
24 ~~—~~punishable by imprisonment for not more than 6 months ~~—~~or a fine
25 of not more than \$500.00, or both.

26 **(5) AS USED IN THIS SECTION, "SUFFICIENT FUNDS" MEANS AN**
27 **AMOUNT EXCEEDING \$2,000,000.00 IN THE JUROR COMPENSATION**

1 REIMBURSEMENT FUND CREATED IN SECTION 151D.

2 Enacting section 1. This amendatory act takes effect 90 days
3 after the date it is enacted into law.