

HOUSE BILL NO. 4414

(As amended September 23, 1998)

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 2552 (MCL 600.2552), as amended by 1994 PA
154.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2552. (1) A witness who attends any action or proceed-
2 ing pending in a court of record shall be paid a witness fee of
3 \$12.00 for each day and \$6.00 for each half day, or may be paid
4 for his or her loss of working time but not more than \$15.00 for
5 each day shall be taxable as costs as his or her witness fee. [A
EXCEPT AS PROVIDED IN SECTIONS 7 AND 13 OF CHAPTER XV OF THE CODE
OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 775.7 AND 775.13, A]
6 witness shall be reimbursed AS PROVIDED IN SUBSECTION (5) for his
7 or her traveling expenses ~~at the rate of 10 cents per mile~~ in
8 coming to the place of attendance and returning from the place of
9 attendance, to be estimated from the residence of the witness, if
10 his or her residence is within this state, or from the boundary

1 line of this state that the witness passed in coming into this
2 state, if his or her residence is out of ~~the~~ THIS state.

3 (2) An attorney or counsel in any action or proceeding in
4 which he or she may be interested as attorney or counsel shall
5 not be paid any fee for attending as a witness in that action or
6 proceeding.

7 (3) A witness who is incarcerated under sentence in a county
8 jail or a state or federal correctional facility when he or she
9 attends an action or proceeding shall not be paid a witness fee
10 and shall not be reimbursed for traveling from or returning to
11 the place where he or she is incarcerated.

12 (4) A witness who attends a proceeding before any person
13 authorized to hold inquests on the view of dead bodies, or before
14 any officer, person, or board authorized to take the examination
15 of witnesses, shall be paid a witness fee of \$12.00 for each
16 day's attendance and \$6.00 for each half day; and shall be reim-
17 bursed AS PROVIDED IN SUBSECTION (5) for his or her traveling
18 expenses in that case ~~, at the rate of 10 cents per mile~~ in
19 coming to the place of attendance and returning from the place of
20 attendance, to be estimated from the residence of the witness, if
21 his or her residence is within this state, or from the boundary
22 line of this state that the witness passed in coming into this
23 state, if his or her residence is out of ~~the~~ THIS state.

24 (5) BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT
25 THAT ADDED THIS SUBSECTION, THE PER-MILE RATE OF REIMBURSEMENT OF
26 TRAVELING EXPENSES FOR WITNESSES SHALL BE THE SAME AS THE
27 PER-MILE RATE OF REIMBURSEMENT OF TRAVELING EXPENSES ESTABLISHED

HB4414, As Passed House, September 23, 1999

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1 BY DIRECTIVES OF THE DEPARTMENT OF MANAGEMENT AND BUDGET FOR
2 STATE OFFICERS AND UNCLASSIFIED EMPLOYEES OF STATE AGENCIES WHILE
3 ENGAGED IN THE PERFORMANCE OF STATE BUSINESS, PURSUANT TO
4 SECTION 217 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL
5 18.1217.

[Enacting section 1. This amendatory act takes effect January
1, 2000.]