

HOUSE BILL No. 4740

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

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 22 of chapter XV (MCL 775.22), as added by
1993 PA 343.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XV

2 Sec. 22. (1) If a person is subject to any combination of
3 fines, costs, restitution, assessments, probation or parole
4 supervision fees, or other payments arising out of the same
5 criminal proceeding, money collected from that person for the
6 payment of fines, costs, restitution, assessments, probation or
7 parole supervision fees, or other payments shall be allocated as
8 provided in this section.

9 (2) Except as otherwise provided in this subsection, if a
10 person is subject to payment of victim payments and any

1 combination of other fines, costs, assessments, probation or
2 parole supervision fees, or other payments, 50% of all money
3 collected from that person shall be applied to payment of victim
4 payments, and the balance shall be applied to payment of fines,
5 costs, supervision fees, and other assessments or payments. If
6 any fines, costs, supervision fees, or other assessments or
7 payments remain unpaid after all of the victim payments have been
8 paid, any additional money collected shall be applied to payment
9 of those fines, costs, supervision fees, or other assessments or
10 payments. If any victim payments remain unpaid after all of the
11 fines, costs, supervision fees, or other assessments or payments
12 have been paid, any additional money collected shall be applied
13 toward payment of those victim payments.

14 (3) In cases involving prosecutions for violations of state
15 law, money allocated under subsection (2) for payment of fines,
16 costs, probation and parole supervision fees, and assessments or
17 payments other than victim payments shall be applied in the
18 following order of priority:

19 (a) **Payment of the minimum state cost prescribed by section**
20 **1j of chapter IX.**

21 (b) ~~—(a)—~~ Payment of costs.

22 (c) ~~—(b)—~~ Payment of fines.

23 (d) ~~—(c)—~~ Payment of probation or parole supervision fees.

24 (e) ~~—(d)—~~ Payment of assessments and other payments.

25 (4) In cases involving prosecutions for violations of local
26 ordinances, money allocated under subsection (2) for payment of
27 fines, costs, and assessments or payments other than victim

1 payments shall be applied in the following order of priority:

2 **(a) Payment of the minimum state cost prescribed by section**
3 **1j of chapter IX.**

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

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

6 (5) As used in this section, "victim payment" means
7 restitution ordered to be paid to the victim or the victim's
8 estate, but not to a person who reimbursed the victim for his or
9 her loss, or an assessment ordered under section 5 of ~~Act~~
10 ~~No. 196 of the Public Acts of 1989, being section 780.905 of the~~
11 ~~Michigan Compiled Laws~~ **1989 PA 196, MCL 780.905.**

12 Enacting section 1. This amendatory act takes effect
13 October 1, 2003.