

SUBSTITUTE FOR
HOUSE BILL NO. 5145

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 1/ to chapter IX.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER IX

SEC. 1/. IF A DEFENDANT WHO HAS BEEN ORDERED TO PAY ANY FINE,
COST, OR ASSESSMENT UNDER SECTION 1K IS INCARCERATED, THE SHERIFF
OR DEPARTMENT OF CORRECTIONS SHALL DEDUCT 50% OF THE FUNDS RECEIVED
BY THE DEFENDANT IN A MONTH OVER \$50.00 FOR PAYMENT OF THE FINE,
COST, OR ASSESSMENT IF ORDERED BY THE COURT ON A FORM PRESCRIBED BY
THE STATE COURT ADMINISTRATIVE OFFICE. THE SHERIFF OR DEPARTMENT OF
CORRECTIONS SHALL PROMPTLY FORWARD THE FINE, COST, OR ASSESSMENT AS
PROVIDED IN THE ORDER WHEN THE AMOUNT EXCEEDS \$100.00, OR THE
ENTIRE AMOUNT IF THE DEFENDANT IS RELEASED FROM CUSTODY. THE

House Bill No. 5145 (H-1) as amended October 11, 2005

1 SHERIFF OR DEPARTMENT OF CORRECTIONS SHALL GIVE AN ORDER OF
2 RESTITUTION UNDER SECTION 20H OF THE CORRECTIONS CODE OF 1953, 1953
3 PA 232, MCL 791.220H, OR THE CRIME VICTIM'S RIGHTS ACT, 1985 PA 87,
4 MCL 780.751 TO 780.834, PRIORITY OVER AN ORDER RECEIVED UNDER THIS
5 SECTION.
6 [Enacting section 1. This amendatory act takes effect January 1,
2006.]
7 Enacting section [2]. This amendatory act does not take effect
8 unless House Bill No. 5023 of the 93rd Legislature is enacted into
law.