

Act No. 316
Public Acts of 2005
Approved by the Governor
December 22, 2005
Filed with the Secretary of State
December 27, 2005
EFFECTIVE DATE: January 1, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005**

Introduced by Reps. Hildenbrand and Elsenheimer

ENROLLED HOUSE BILL No. 5023

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 760.1 to 777.69) by adding section 1k to chapter IX.

The People of the State of Michigan enact:

CHAPTER IX

Sec. 1k. (1) If a defendant enters a plea of guilty or nolo contendere or if the court determines after a hearing or trial that the defendant is guilty, both of the following apply at the time of the sentencing or at the time entry of judgment of guilt is deferred pursuant to statute or sentencing is delayed pursuant to statute:

- (a) The court shall impose the minimum state costs as set forth in section 1j of this chapter.
- (b) The court may impose any or all of the following:
 - (i) Any fine.
 - (ii) Any cost in addition to the minimum state cost set forth in subdivision (a).
 - (iii) The expenses of providing legal assistance to the defendant.
 - (iv) Any assessment authorized by law.

(v) Reimbursement under section 1f of this chapter.

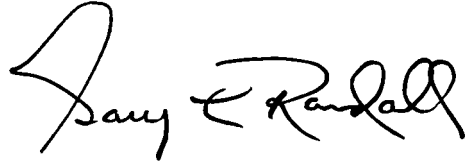
(2) Subsection (1) applies regardless of whether the defendant is placed on probation, probation is revoked, or the defendant is discharged from probation.

(3) The court may require the defendant to pay any fine, cost, or assessment ordered to be paid under this section by wage assignment.

(4) The court may provide for the amounts imposed under this section to be collected at any time.

Enacting section 1. This amendatory act takes effect January 1, 2006.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved

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Governor