

REIMBURSEMENT TO COUNTIES FOR CERTAIN EXPENSES (EXCERPT)
Act 16 of 1978

800.452 Reimbursement for fees.

Sec. 2.

(1) The state shall reimburse each county in which a state correctional facility is located for the reasonable and actual costs incurred by the county for juror's fees, witness fees, fees of attorneys appointed by the court for the defendant, transcript fees, and for a proportion of the fees for the office of the prosecuting attorney as determined under subsection (3), in cases of new felony offenses committed by inmates of state correctional facilities during a period of state incarceration, new felonies committed during escape and cases of escape from custody as prescribed in section 65a(3) of Act No. 232 of the Public Acts of 1953, being section 791.265 of the Michigan Compiled Laws.

(2) Each county shall submit monthly its itemized costs as described in this section to the state agency designated in subsection (3). After determination by the state agency designated in subsection (3) of the reasonableness of the amount to be paid, payment shall be made in accordance with the accounting laws of the state. The determination of reasonableness by the state agency designated in subsection (3) shall be conclusive.

(3) The state agency responsible for the duties prescribed in subsections (2) and (4) shall be as follows:

(a) Before October 1, 1988, the department of corrections.

(b) On and after October 1, 1988, the department of management and budget.

(4) The amount of reimbursement for the fees of the prosecuting attorney under subsection (1) for any case, subject to the determination of reasonableness by the state agency designated in subsection (3), shall be based upon the actual time spent in prosecuting the case, and shall be calculated at a rate equal to 70% of the hourly rate or flat fee paid to court-appointed defense attorneys in the county. However, the reimbursement for a single case shall not exceed \$1,000.00 unless the case is either of the following:

(a) A felony offense for which the maximum punishment is life imprisonment. In which case the reimbursement shall not exceed \$10,000.00.

(b) A case that involves 12 or more hours of actual trial time, in which case the reimbursement shall not exceed \$10,000.00. As used in this subdivision, "actual trial time" means the trial hours recorded on the court record beginning when juror selection begins and ending when the jury begins deliberation in the case. If there is no jury in the case, actual trial time means the trial hours recorded on the court record.

History: 1978, Act 16, Imd. Eff. Feb. 12, 1978 ;-- Am. 1987, Act 272, Eff. Apr. 1, 1988

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities, including the functions of budgeting, procurement, and management-related functions, of the County Escaped Prisoner Prosecution Program from the Department of Management and Budget to the Department of Corrections, see E.R.O. No. 1993-4, compiled at MCL 800.461 of the Michigan Compiled Laws.