

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2925c Enforcement of contribution; absence of judgment as bar to contribution; discharge of other tort-feasors; judgment binding in determining right to contribution.

Sec. 2925c.

(1) Whether or not judgment has been entered in an action against 2 or more tort-feasors for the same injury or wrongful death, contribution may be enforced by separate action.

(2) When a judgment has been entered in an action against 2 or more tort-feasors for the same injury or wrongful death, contribution may be enforced in that action by judgment in favor of 1 against other judgment defendants by motion upon notice to all parties to the action.

(3) If there is a judgment for the injury or wrongful death against the tort-feasor seeking contribution, a separate action by him to enforce contribution shall be commenced within 1 year after the judgment has become final by lapse of time for appeal or after appellate review.

(4) If there is not a judgment for the injury or wrongful death against the tort-feasor seeking contribution, his right to contribution is barred unless he has discharged by payment the common liability within the statute of limitations period applicable to claimant's right of action against him and has commenced his action for contribution within 1 year after payment, or unless he has agreed while action is pending against him to discharge the common liability and has, within 1 year after the agreement, paid the liability and commenced his action for contribution.

(5) The recovery of a judgment for an injury or wrongful death against 1 tort-feasor does not of itself discharge the other tort-feasors from liability for the injury or wrongful death unless the judgment is satisfied. Satisfaction of the judgment does not impair any right of contribution.

(6) The judgment of the court in determining the liability of the several defendants to the claimant for an injury or wrongful death is binding as among such defendants in determining their right to contribution.

History: Add. 1974, Act 318, Imd. Eff. Dec. 15, 1974

Compiler's Notes: Section 3 of Act 318 of 1974 provides: "The provisions of this amendatory act shall apply only to torts committed on or after January 1, 1975."