

**SUBSTITUTE FOR
HOUSE BILL NO. 5101**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 524, 8146, 8147, and 8148 (MCL 600.524,
600.8146, 600.8147, and 600.8148), as amended by 2002 PA 92.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 524. (1) ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (2), THE**
2 twenty-third judicial circuit consists of the counties of ~~Ioseco and~~
3 ~~Oscoda and has 1 judge. Beginning April 1, 2003, the twenty third~~
4 ~~judicial circuit consists of the counties of Alcona, Arenac, Iosco,~~
5 and Oscoda and has 2 judges. ~~The additional judgeship in this~~
6 ~~circuit shall be filled by the incumbent circuit judge of the~~
7 ~~thirty fourth circuit residing in Arenac county with a term ending~~
8 ~~January 1, 2009, who shall serve as a judge of the twenty third~~
9 ~~circuit for the balance of the term to which he or she was elected~~
10 ~~or appointed.~~ For purposes of the November 2008 general election

only, the term of the candidate for circuit judge in this circuit who receives the highest number of votes ~~shall be~~ **IS** 8 years, and the term of the candidate receiving the second highest number of votes ~~shall be~~ **IS** 6 years.

(2) BEGINNING ON THE EARLIER OF THE FOLLOWING DATES, THE TWENTY-THIRD JUDICIAL CIRCUIT HAS 1 JUDGE:

(A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF CIRCUIT JUDGE IN THE TWENTY-THIRD JUDICIAL CIRCUIT.

(B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT CIRCUIT JUDGE IN THE TWENTY-THIRD JUDICIAL CIRCUIT NO LONGER SEEKS ELECTION OR REELECTION TO THAT OFFICE.

Sec. 8146. (1) ~~The~~ UNTIL THE DATE DETERMINED UNDER SUBSECTION (2), THE eighty-first district consists of the counties of ~~Iosee and Arenac, is a district of the first class, and has 1 judge. Beginning April 1, 2003, the eighty-first district consists of the counties of Alcona, Arenac, Iosco, and Oscoda, is a district of the first class, and has 1 judge.~~

(2) BEGINNING ON THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF DISTRICT JUDGE IN THE EIGHTY-FIRST DISTRICT OR THE BEGINNING DATE OF THE TERM FOR WHICH THE INCUMBENT DISTRICT JUDGE IN THE EIGHTY-FIRST DISTRICT NO LONGER SEEKS ELECTION OR REELECTION TO THAT OFFICE, WHICHEVER IS EARLIER, ALL OF THE FOLLOWING APPLY:

(A) THE EIGHTY-FIRST DISTRICT CONSISTS OF THE COUNTIES OF ALCONA, ARENAC, IOSCO, AND OSCODA AND IS A DISTRICT OF THE FIRST CLASS.

(B) UNDER SECTION 810A, THE PROBATE JUDGE FOR THE COUNTY OF ALCONA SHALL SERVE AS JUDGE OF THE EIGHTY-FIRST DISTRICT WITHIN THE

1 COUNTY OF ALCONA.

2 (C) UNDER SECTION 810A, THE PROBATE JUDGE FOR THE COUNTY OF
3 ARENAC SHALL SERVE AS JUDGE OF THE EIGHTY-FIRST DISTRICT WITHIN THE
4 COUNTY OF ARENAC.

5 (D) UNDER SECTION 810A, THE PROBATE JUDGE FOR THE COUNTY OF
6 IOSCO SHALL SERVE AS JUDGE OF THE EIGHTY-FIRST DISTRICT WITHIN THE
7 COUNTY OF IOSCO.

8 (E) UNDER SECTION 810A, THE PROBATE JUDGE FOR THE COUNTY OF
9 OSCODA SHALL SERVE AS JUDGE OF THE EIGHTY-FIRST DISTRICT WITHIN THE
10 COUNTY OF OSCODA.

11 Sec. 8147. (1) ~~The eighty-second district consists of the~~
12 ~~counties of Alcona, Oscoda, and Ogemaw, is a district of the first~~
13 ~~class, and has 1 judge. Beginning April 1, 2003~~ **EXCEPT AS PROVIDED**
14 **IN SUBSECTION (2),** the eighty-second district consists of the
15 county of Ogemaw, is a district of the first class, and has 1
16 judge.

17 (2) BEGINNING APRIL 1, 2012, THE EIGHTY-SECOND DISTRICT
18 CONSISTS OF THE COUNTIES OF OGEMAW AND ROSCOMMON, IS A DISTRICT OF
19 THE FIRST CLASS, AND HAS 2 JUDGES. THE ADDITIONAL JUDGESHIP IN THE
20 EIGHTY-SECOND DISTRICT SHALL BE FILLED BY THE INCUMBENT JUDGE OF
21 THE EIGHTY-THIRD DISTRICT, WHO SHALL BECOME A JUDGE OF THE EIGHTY-
22 SECOND DISTRICT FOR THE BALANCE OF THE TERM TO WHICH HE OR SHE WAS
23 ELECTED OR APPOINTED. THE EIGHTY-SECOND DISTRICT SHALL HAVE 1 JUDGE
24 BEGINNING ON THE EARLIER OF THE FOLLOWING DATES:

25 (A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF
26 DISTRICT JUDGE IN THIS DISTRICT.

27 (B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT

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1 DISTRICT JUDGE IN THIS DISTRICT NO LONGER SEEKS ELECTION OR
2 REELECTION TO THAT OFFICE.

3 (3) SECTIONS 8175 AND 8176 DO NOT APPLY TO THE <<CONSOLIDATION
4 OF THE EIGHTY-SECOND AND EIGHTY-THIRD DISTRICTS.>>

5 Sec. 8148. (1) ~~The eighty third district consists of the~~
6 ~~counties of Roscommon and Crawford, is a district of the first~~
7 ~~class, and has 1 judge. Beginning April 1, 2003~~ EXCEPT AS PROVIDED
8 IN SUBSECTION (2), the eighty-third district consists of the county
9 of Roscommon, is a district of the first class, and has 1 judge.

10 (2) BEGINNING APRIL 1, 2012, THE EIGHTY-THIRD DISTRICT IS
11 ABOLISHED AND THE INCUMBENT JUDGE OF THE EIGHTY-THIRD DISTRICT
12 SHALL BECOME A JUDGE OF THE EIGHTY-SECOND DISTRICT FOR THE BALANCE
13 OF THE TERM TO WHICH HE OR SHE WAS ELECTED OR APPOINTED.