



**House
Legislative
Analysis
Section**

Manufacturer's Bank Building, 12th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

Senate Bill 416 as passed by the Senate
First Analysis (9-26-90)

Sponsor: Senator Virgil C. Smith, Jr.
Senate Committee: Judiciary
House Committee: Judiciary

THE APPARENT PROBLEM:

Michigan's 1963 constitution abolished the office of justice of the peace. Many statutes continue to refer to that office, however. The Michigan Law Revision Commission and others have recommended that obsolete references to justices of the peace be removed from Michigan statute.

THE CONTENT OF THE BILL:

The bill would repeal twenty sections of Chapter 77 of the Revised Judicature Act, which provides for appeals from a justice of the peace to the circuit court. The sections to be repealed address appeal procedures; the bill would retain one section of the chapter, Section 7701, which provides for the right to appeal.

MCL 600.7703 et al.

FISCAL IMPLICATIONS:

The House Fiscal Agency says that elimination of obsolete references to justices of the peace would have no fiscal implications. (9-24-90)

ARGUMENTS:

For:

In conjunction with other bills before the legislature, the bill would help to update Michigan statute by ridding it of obsolete references to the abolished office of justice of the peace. Such "housekeeping" action has been recommended by the Michigan Law Revision Commission.

POSITIONS:

In its 1985 and 1986 annual reports, the Michigan Law Revision Commission recommended eliminating references to abolished courts.

SFA BILL ANALYSIS

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Analysis Summary

See SB 402

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