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SFA**BILL ANALYSIS**

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House Bill 5220 (Substitute S-1 as reported)
Sponsor: Representative Michael Nye
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to split into two districts the current second judicial district, with local approval. The district presently consists of Lenawee and Hillsdale Counties, is a district of the first class, and is divided into two election divisions. The first division consists of Lenawee County and has two judges; the second division consists of Hillsdale County and has one judge.

Under the bill, effective January 1, 1999, if Lenawee County approved the creation of the second-A district, and if Hillsdale County approved the creation of the second-B district, the second-A district would consist of the County of Lenawee and have two judges and the second-B district would consist of the County of Hillsdale and have one judge. Each would be a district of the first class.

The creation of the two new districts could not take place unless resolutions of approval by the county boards of commissioners were filed with the State Court Administrator by April 1, 1998. If the new judicial districts were created, the change in the composition of the districts would take effect for election purposes on April 1, 1998, and for judicial purposes on January 1, 1999.

If the new districts were created, the incumbent judge who resides in Hillsdale County and whose term expires on January 1, 2003, would become a judge of the second-B district as of January 1, 1999, for the balance of the judge's elected term. The incumbent judge in Lenawee County whose term expires on January 1, 2003, would become a judge of the second-A district on January 1, 1999, for the balance of the judge's elected term. Both those judges would have to continue to meet other requirements for eligibility, including residency requirements.

If the incumbent judge in Lenawee County whose term expires on January 1, 1999, sought election in the new second-A district for a term beginning on that date and met eligibility requirements to serve as district judge, including residency requirements, that judge would be entitled to the designation of his or her office on the ballot in the August 1998 primary and the November 1998 general elections. The incumbent judge could qualify for nomination by filing an affidavit of candidacy as an incumbent judge of the second-A district as provided in the Michigan Election Law.

MCL 600.8112

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 1-28-98

Fiscal Analyst: B. Bowerman

[floor/hb5220](#)

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.