

Act No. 13
Public Acts of 1998
Approved by the Governor
March 4, 1998
Filed with the Secretary of State
March 5, 1998
EFFECTIVE DATE: March 5, 1998

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Reps. Nye and Walberg

ENROLLED HOUSE BILL No. 5220

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending section 8112 (MCL 600.8112).

The People of the State of Michigan enact:

Sec. 8112. (1) Except as provided in subsection (2), the second district consists of the counties of Lenawee and Hillsdale, is a district of the first class, and is divided into the following election divisions:

- (a) The first division consists of the county of Lenawee and has 2 judges.
- (b) The second division consists of the county of Hillsdale and has 1 judge.

(2) Effective January 1, 1999, if the county of Lenawee approves the creation of the second-a district pursuant to law, and if the county of Hillsdale approves the creation of the second-b district pursuant to law, both of the following apply:

- (a) The second-a district consists of the county of Lenawee, is a district of the first class, and has 2 judges.
- (b) The second-b district consists of the county of Hillsdale, is a district of the first class, and has 1 judge.

Enacting section 1. The creation of the second-a district and the second-b district, as allowed by this 1998 amendatory act, shall not take place unless resolutions of approval by the county boards of commissioners of the counties of Lenawee and Hillsdale, as required by section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8176, are filed with the state court administrator not later than April 1, 1998.

Enacting section 2. If new judicial districts of the district court are created under this amendatory act pursuant to section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 800.8176, the change in the composition of the affected judicial districts shall take effect for election purposes on April 1, 1998 and shall take effect for judicial purposes on January 1, 1999. If the second-a district and the second-b district are created pursuant to this amendatory act, both of the following apply to the judges of the second district serving on the effective date of this amendatory act:

(a) The incumbent judge who resides in Hillsdale county and whose term expires on January 1, 2003 shall become a judge of the second-b district on January 1, 1999 for the balance of the term for which he or she was elected, except that

he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.

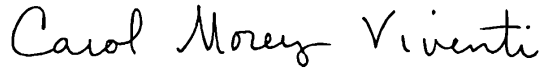
(b) If the incumbent judge who resides in Lenawee county and whose term expires January 1, 1999 seeks election in the second-a district for a term beginning January 1, 1999 and meets other requirements for eligibility to serve as district judge, including residency requirements, that judge is entitled to the designation of his or her office on the ballot in the 1998 August primary election and in the 1998 November general election. The incumbent judge may qualify for nomination by filing an affidavit of candidacy as an incumbent judge of the second-a district as provided in section 467c of the Michigan election law, 1954 PA 116, MCL 168.467c.

(c) The incumbent judge who resides in Lenawee county and whose term expires January 1, 2003 shall become a judge of the second-a district on January 1, 1999 for the balance of the term for which he or she was elected or appointed, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved -----

Governor.