

Act No. 46
Public Acts of 1998
Approved by the Governor
March 27, 1998
Filed with the Secretary of State
March 30, 1998
EFFECTIVE DATE: March 30, 1998

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Senators Gougeon and DeGrow

ENROLLED SENATE BILL No. 834

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 8138 (MCL 600.8138).

The People of the State of Michigan enact:

Sec. 8138. (1) Except as provided in subsection (2), the seventy-third district consists of the counties of Huron and Sanilac, is a district of the first class, and is divided into the following election divisions:

- (a) The first division consists of the county of Huron and has 1 judge.
- (b) The second division consists of the county of Sanilac and has 1 judge.

(2) Effective January 1, 1999, if the county of Sanilac approves the creation of the seventy-third-a district pursuant to law, and if the county of Huron approves the creation of the seventy-third-b district pursuant to law, both of the following apply:

- (a) The seventy-third-a district consists of the county of Sanilac, is a district of the first class, and has 1 judge.
- (b) The seventy-third-b district consists of the county of Huron, is a district of the first class, and has 1 judge.

Enacting section 1. The creation of the seventy-third-a district and the seventy-third-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 Huron and Sanilac, as required by section 8176 of the revised judiciary 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 judiciary act of 1961, 1961 PA 236, MCL 800.8176, the change in the composition of the affected judicial districts shall take effect for judicial purposes on January 1, 1999. If the seventy-third-a district and the seventy-third-b district are created pursuant to this amendatory act, both of the following apply to the judges of the seventy-third district serving on the effective date of this amendatory act:

- (a) The judge who resides in Sanilac county and whose term expires on January 1, 2003 shall become a judge of the seventy-third-a 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) The judge who resides in Huron county and whose term expires on January 1, 2003 shall become a judge of the seventy-third-b district on January 1, 1999 for the balance of the term to 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.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Harry R. ...

Clerk of the House of Representatives.

Approved -----

Governor.