

HOUSE BILL No. 5219

October 30, 2003, Introduced by Reps. Howell, Tobocman and Gaffney and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8313 (MCL 600.8313), as amended by 1995 PA 54.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8313. (1) A violation of state criminal law shall be
2 prosecuted in the district court by the prosecuting attorney. A
3 violation of an ordinance of a political subdivision that is a
4 misdemeanor or that is not designated as a civil infraction shall
5 be prosecuted in the district court by the attorney for the
6 political subdivision whose ordinance was violated. If the
7 violation is a civil infraction, the prosecuting attorney or
8 attorney for the political subdivision shall appear in court only
9 in those civil infraction actions that are contested before a
10 judge of the district court in a formal hearing as provided in

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House Bill No. 5219 as amended December 2, 2003

1 any of the following, as applicable:

2 (a) Section 8721.

3 (b) Section 8821.

4 (c) Section 747 of the Michigan vehicle code, ~~Act No. 300 of~~
5 ~~the Public Acts of 1949, being section 257.747 of the Michigan~~
6 ~~Compiled Laws 1949 PA 300, MCL 257.747.~~

7 (2) This section does not apply to an ordinance violation
8 designated a [blight] violation by a political subdivision
9 that establishes an administrative hearings bureau pursuant to
10 statute to adjudicate and impose sanctions for [blight]
11 violations.