

# 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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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 quality of life violation by a political subdivision  
9 that establishes an administrative hearings bureau pursuant to  
10 statute to adjudicate and impose sanctions for quality of life  
11 violations.