

Act No. 319
Public Acts of 2003
Approved by the Governor
January 8, 2004
Filed with the Secretary of State
January 12, 2004
EFFECTIVE DATE: January 12, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2003**

Introduced by Reps. Howell, Tobocman and Gaffney

ENROLLED HOUSE BILL No. 5219

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; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 8313 (MCL 600.8313), as amended by 1995 PA 54.

The People of the State of Michigan enact:

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

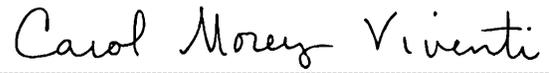
- (a) Section 8721.
- (b) Section 8821.
- (c) Section 747 of the Michigan vehicle code, 1949 PA 300, MCL 257.747.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor