

SENATE BILL No. 745

August 19, 2009, Introduced by Senators McMANUS and CROPSEY and referred to the Committee on Campaign and Election Oversight.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 391 and 399 (MCL 168.391 and 168.399), section
391 as amended by 1999 PA 218, and by adding sections 396a and
396b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 391. (1) A person ~~shall not be~~ **IS** eligible to **BE ELECTED**
2 **OR APPOINTED TO** the office of justice of the supreme court ~~unless~~
3 **IF** the person is a registered and qualified elector of ~~this state~~
4 ~~by the filing deadline or the date the person files the affidavit~~
5 ~~of candidacy~~ **THE SUPREME COURT DISTRICT HE OR SHE SEEKS TO**
6 **REPRESENT**, is licensed to practice law in this state, and at the
7 time of election or appointment is less than 70 years of age.

8 (2) A person who has been convicted of a violation of section

1 12a(1) of 1941 PA 370, MCL 38.412a, ~~shall~~**IS** not be eligible for
2 election or appointment to the office of justice of the supreme
3 court for a period of 20 years after conviction.

4 **SEC. 396A. THE STATE IS DIVIDED INTO 7 SUPREME COURT**
5 **DISTRICTS. EACH DISTRICT IS ENTITLED TO ELECT 1 JUSTICE OF THE**
6 **SUPREME COURT. THE DISTRICTS ARE CONSTITUTED AND NUMBERED AS**
7 **FOLLOWS:**

8 (A) THE FIRST DISTRICT CONSISTS OF COUNTIES AS PROVIDED BY
9 LAW.

10 (B) THE SECOND DISTRICT CONSISTS OF COUNTIES AS PROVIDED BY
11 LAW.

12 (C) THE THIRD DISTRICT CONSISTS OF COUNTIES AS PROVIDED BY
13 LAW.

14 (D) THE FOURTH DISTRICT CONSISTS OF COUNTIES AS PROVIDED BY
15 LAW.

16 (E) THE FIFTH DISTRICT CONSISTS OF COUNTIES AS PROVIDED BY
17 LAW.

18 (F) THE SIXTH DISTRICT CONSISTS OF COUNTIES AS PROVIDED BY
19 LAW.

20 (G) THE SEVENTH DISTRICT CONSISTS OF COUNTIES AS PROVIDED BY
21 LAW.

22 **SEC. 396B. NOT LATER THAN JANUARY 1, 2012, AND EVERY 10 YEARS**
23 **AFTER THAT DATE, THE LEGISLATURE SHALL REVIEW THE FEDERAL DECENNIAL**
24 **CENSUS DATA FOR COUNTIES AND THEIR POLITICAL SUBDIVISIONS AND SHALL**
25 **PROVIDE FOR ADJUSTMENTS IN DISTRICT BOUNDARIES UNDER SECTION 396A**
26 **TO ACHIEVE A POPULATION SIZE THAT IS NOT MORE THAN 105% AND NOT**
27 **LESS THAN 95% OF THE IDEAL DISTRICT POPULATION.**

1 Sec. 399. (1) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THE STATE
2 CONSTITUTION OF 1963 OR THIS CHAPTER, THE term of office of A
3 justice of the supreme court ~~shall be~~ IS 8 years, beginning AT 12
4 NOON on the ~~first day of January next~~ 1 IMMEDIATELY following the
5 HIS OR HER election. ~~and shall continue~~ THE TERM OF OFFICE OF A
6 JUSTICE OF THE SUPREME COURT CONTINUES until a successor is elected
7 and qualified.

8 (2) AN INDIVIDUAL ELECTED TO THE OFFICE OF JUSTICE OF THE
9 SUPREME COURT BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
10 ADDED THIS SUBSECTION SHALL HOLD THE OFFICE OF JUSTICE OF THE
11 SUPREME COURT FOR THE REMAINDER OF THE TERM OF OFFICE TO WHICH HE
12 OR SHE WAS ELECTED.