



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 453 (Substitute S-1 as reported)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend Chapter 85 (Magistrates) of the Revised Judicature Act to allow a person to be appointed magistrate in certain districts if he or she were an elector in an adjoining district and if the appointment were made under a plan of concurrent jurisdiction.

Chapter 85 provides that in each third class district, the district judge or judges may appoint one or more district court magistrates. In the 36th district, the chief judge may appoint one or more magistrates, as long as the district does not exceed six district court magistrates. In a third class district and in the 36th district, a person may not be appointed magistrate unless the person is a registered elector in the district for which he or she is appointed.

The bill would allow a person to be appointed magistrate in a third class district or the 36th district if he or she were an elector in an adjoining district if the appointment were made under a plan of concurrent jurisdiction adopted under Chapter 4 (Trial Court Concurrent Jurisdiction) of the Act. (Chapter 4 pertains to the adoption of a plan of concurrent jurisdiction between various courts within a judicial circuit.)

The bill would take effect 90 days after its enactment.

MCL 600.8501

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could produce fiscal savings for third class district courts and the 36th District Court. The third class district courts are located in the following counties: Genesee, Ingham, Kent, Macomb, Oakland, Washtenaw, and Wayne. The 36th District Court is located in the City of Detroit. Allowing the appointment of a magistrate from an adjoining district could create resource efficiencies under a plan of concurrent jurisdiction. The bill would have no fiscal impact on the State.

Date Completed: 9-24-15

Fiscal Analyst: John Maxwell