



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 453 (as introduced 9-9-15)

Sponsor: Senator Rick Jones

Committee: Judiciary

Date Completed: 9-21-15

CONTENT

The bill would amend Chapter 85 (Magistrates) of the Revised Judicature Act to do the following:

- **Require certain county boards of commissioners to provide for a maximum of one magistrate if recommended by the district judges.**
- **Allow a person to be appointed magistrate if he or she were an elector in an adjoining district if the appointment were made under a plan of concurrent jurisdiction.**

Chapter 85 specifies that in a county that elects by itself fewer than two district judges, the county board of commissioners must provide for one district court magistrate. In all other counties in first and second class districts, the county board of commissioners must provide for at least one magistrate if recommended by the judges of the district. The bill instead would require the board to provide for not more than one magistrate if recommended by the district judges.

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 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.

Fiscal Analyst: John Maxwell

S1516\453sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.