

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 6344

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8125 (MCL 600.8125), as amended by 2012 PA 16.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8125. (1) ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (4), THE**
2 fifty-fourth-a district consists of the city of Lansing, is a
3 district of the third class, and has ~~the following number of~~
4 judges:
5 ——— (a) ~~Until the date determined under subdivision (b) takes~~
6 effect, ~~this district has 5 judges.~~
7 ——— (b) ~~Beginning on the earlier of the following dates, the~~
8 ~~fifty-fourth-a district has 4 judges. ÷~~
9 ——— (i) ~~The date on which a vacancy occurs in the office of~~

~~district judge in the fifty-fourth-a district.~~

~~—— (ii) The beginning date of the term for which an incumbent
district judge in the fifty-fourth-a district no longer seeks
election or reelection to that office.~~

(2) ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (4), THE** fifty-fourth-b district consists of the city of East Lansing, is a district of the third class, and has 2 judges.

(3) ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (4), THE** fifty-fifth district consists of the county of Ingham except the cities of Lansing and East Lansing, is a district of the second class, and has 2 judges.

(4) IF THE GOVERNING BODY OF THE COUNTY OF INGHAM AND THE CITIES OF LANSING AND EAST LANSING APPROVE BY RESOLUTIONS THE CONSOLIDATION OF THE FIFTY-FOURTH-A, FIFTY-FOURTH-B, AND FIFTY-FIFTH DISTRICTS BEFORE NOVEMBER 1, 2019, ALL OF THE FOLLOWING APPLY BEGINNING MARCH 1, 2020:

(A) THE FIFTY-FOURTH-A AND FIFTY-FOURTH-B DISTRICTS ARE ABOLISHED. THE FIFTY-FIFTH DISTRICT CONSISTS OF ALL OF THE TERRITORY OF THE FORMER FIFTY-FOURTH-A AND FIFTY-FOURTH-B DISTRICT COURTS AND THE FIFTY-FIFTH DISTRICT COURT PRIOR TO THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION, THE NEWLY CONSTITUTED FIFTY-FIFTH DISTRICT IS A DISTRICT OF THE FIRST CLASS, AND HAS 8 JUDGES.

(B) ALL FULL-TIME EMPLOYEES OF THE FORMER FIFTY-FOURTH-A AND FIFTY-FOURTH-B DISTRICTS MUST BE TRANSFERRED TO THE FIFTY-FIFTH DISTRICT UNDER THIS SUBSECTION. EXCEPT AS PROVIDED IN ANY AGREEMENT OF CONSOLIDATION BY THE DISTRICT CONTROL UNITS OF THE FORMER FIFTY-

1 FOURTH-A AND FIFTY-FOURTH-B DISTRICTS AND THE FIFTY-FIFTH DISTRICT,
2 SALARY, SENIORITY RIGHTS, ANNUAL LEAVE, SICK LEAVE, AND RETIREMENT
3 BENEFITS OF TRANSFERRED EMPLOYEES MUST BE PRESERVED AND CONTINUED
4 IN THEIR POSITIONS IN THE FIFTY-FIFTH DISTRICT UNDER THIS
5 SUBSECTION IN A MANNER NOT INFERIOR TO THEIR PRIOR STATUS.

6 (C) BY PROPOSING OR AUTHORIZING THE CONSOLIDATION OF THE
7 FIFTY-FOURTH-A, FIFTY-FOURTH-B, AND FIFTY-FIFTH DISTRICTS, THE
8 LEGISLATURE IS NOT CREATING A NEW OBLIGATION FOR ANY AFFECTED
9 DISTRICT CONTROL UNIT. IF A DISTRICT CONTROL UNIT, ACTING THROUGH
10 ITS GOVERNING BODY, APPROVES THE CONSOLIDATION, THEN THE APPROVAL
11 CONSTITUTES AN EXERCISE OF THE DISTRICT CONTROL UNIT'S OPTION TO
12 INCREASE THE LEVEL OF ACTIVITY AND SERVICE OFFERED IN THAT DISTRICT
13 CONTROL UNIT BEYOND THAT REQUIRED BY EXISTING LAW, AS THE ELEMENTS
14 OF THAT OPTION ARE PROVIDED BY 1979 PA 101, MCL 21.231 TO 21.244,
15 AND A VOLUNTARY ACCEPTANCE BY THAT DISTRICT CONTROL UNIT OF ALL
16 EXPENSES AND CAPITAL IMPROVEMENTS THAT MAY RESULT FROM THE
17 CONSOLIDATION OF THE DISTRICTS. HOWEVER, THE EXERCISE OF THE OPTION
18 DOES NOT AFFECT THE STATE'S OBLIGATION TO PAY THE SAME PORTION OF
19 EACH JUDGE'S SALARY THAT IS PAID BY THE STATE TO OTHER DISTRICT
20 JUDGES AS PROVIDED BY LAW, OR TO APPROPRIATE AND DISBURSE FUNDS TO
21 THE DISTRICT CONTROL UNIT FOR THE NECESSARY COSTS OF STATE
22 REQUIREMENTS ESTABLISHED BY A STATE LAW THAT TAKES EFFECT ON OR
23 AFTER DECEMBER 23, 1978.

24 (5) IF THE CONSOLIDATED DISTRICT IS CREATED UNDER SUBSECTION
25 (4), ALL OF THE FOLLOWING APPLY UNTIL 8 YEARS AFTER THE EFFECTIVE
26 DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION:

27 (A) THE FIFTY-FIFTH DISTRICT IS DIVIDED INTO THE FOLLOWING

1 ELECTION DIVISIONS:

2 (i) THE FIRST DIVISION CONSISTS OF THE CITY OF LANSING AND THE
3 TOWNSHIP OF LANSING AND HAS 4 JUDGES.

4 (ii) THE SECOND DIVISION CONSISTS OF THE CITY OF EAST LANSING
5 AND HAS 2 JUDGES.

6 (iii) THE THIRD DIVISION CONSISTS OF THE COUNTY OF INGHAM,
7 EXCEPT THE CITIES OF LANSING AND EAST LANSING AND THE TOWNSHIP OF
8 LANSING, AND HAS 2 JUDGES.

9 (B) EACH INCUMBENT DISTRICT JUDGE FROM THE FORMER FIFTY-
10 FOURTH-A AND FIFTY-FOURTH-B DISTRICTS AND THE FIFTY-FIFTH DISTRICT
11 SHALL SERVE AS A DISTRICT JUDGE IN THE CONSOLIDATED DISTRICT. EACH
12 JUDGE FROM THE FORMER FIFTY-FOURTH-A AND FIFTY-FOURTH-B DISTRICTS
13 AND THE FIFTY-FIFTH DISTRICT IS CONSIDERED AN INCUMBENT IN THE
14 ELECTION DIVISION CREATED UNDER SUBDIVISION (A) IN WHICH HE OR SHE
15 RESIDES.

16 (6) UPON THE EXPIRATION OF 8 YEARS AFTER THE EFFECTIVE DATE OF
17 THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE ELECTION
18 DIVISIONS CREATED UNDER SUBSECTION (5) ARE ABOLISHED AND THE JUDGES
19 OF THE FIFTY-FIFTH DISTRICT MUST BE ELECTED AT LARGE.

20 (7) IF THE CONSOLIDATED DISTRICT IS CREATED UNDER SUBSECTION
21 (4), A JURY TRIAL IN THE FIFTY-FIFTH DISTRICT CONDUCTED IN
22 CONNECTION WITH A CRIMINAL OFFENSE OR ANY OTHER CAUSE OF ACTION
23 THAT OCCURRED IN THE CITY OF LANSING OR THE TOWNSHIP OF LANSING
24 MUST BE BEFORE A JURY OF CITIZENS WHO ARE RESIDENTS OF THOSE 2
25 POLITICAL SUBDIVISIONS.

26 (8) IF THE CONSOLIDATED DISTRICT IS CREATED UNDER SUBSECTION
27 (4), A JURY TRIAL IN THE FIFTY-FIFTH DISTRICT CONDUCTED IN

1 CONNECTION WITH A CRIMINAL OFFENSE OR ANY OTHER CAUSE OF ACTION
2 THAT OCCURRED IN THE CITY OF EAST LANSING MUST BE BEFORE A JURY OF
3 CITIZENS WHO ARE RESIDENTS OF THAT POLITICAL SUBDIVISION.

4 (9) IF THE CONSOLIDATED DISTRICT IS CREATED UNDER SUBSECTION
5 (4), A JURY TRIAL IN THE FIFTY-FIFTH DISTRICT CONDUCTED IN
6 CONNECTION WITH A CRIMINAL OFFENSE OR ANY OTHER CAUSE OF ACTION
7 THAT OCCURRED IN THE COUNTY OF INGHAM, EXCEPT FOR THE CITIES OF
8 LANSING AND EAST LANSING OR THE TOWNSHIP OF LANSING, MUST BE BEFORE
9 A JURY OF CITIZENS WHO ARE RESIDENTS OF THE COUNTY OF INGHAM,
10 EXCEPT FOR THE CITIES OF LANSING OR EAST LANSING OR THE TOWNSHIP OF
11 LANSING.