

Act No. 666
Public Acts of 2018
Approved by the Governor
December 28, 2018
Filed with the Secretary of State
December 28, 2018
EFFECTIVE DATE: March 29, 2019

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Rep. Singh

ENROLLED HOUSE BILL No. 6344

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 the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; 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 8125 (MCL 600.8125), as amended by 2012 PA 16.

The People of the State of Michigan enact:

Sec. 8125. (1) Except as provided in subsection (4), the fifty-fourth-a district consists of the city of Lansing, is a district of the third class, and has 4 judges.

(2) 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) 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-fourth-a and fifty-fourth-b districts and the fifty-fifth district, salary, seniority rights, annual leave, sick leave, and retirement benefits of transferred employees must be preserved and continued in their positions in the fifty-fifth district under this subsection in a manner not inferior to their prior status.

(c) By proposing or authorizing the consolidation of the fifty-fourth-a, fifty-fourth-b, and fifty-fifth districts, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are provided by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by

that district control unit of all expenses and capital improvements that may result from the consolidation of the districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary that is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that takes effect on or after December 23, 1978.

(5) If the consolidated district is created under subsection (4), all of the following apply until 8 years after the effective date of the amendatory act that added this subsection:

(a) The fifty-fifth district is divided into the following election divisions:

(i) The first division consists of the city of Lansing and the township of Lansing and has 4 judges.

(ii) The second division consists of the city of East Lansing and has 2 judges.

(iii) The third division consists of the county of Ingham, except the cities of Lansing and East Lansing and the township of Lansing, and has 2 judges.


(b) Each incumbent district judge from the former fifty-fourth-a and fifty-fourth-b districts and the fifty-fifth district shall serve as a district judge in the consolidated district. Each judge from the former fifty-fourth-a and fifty-fourth-b districts and the fifty-fifth district is considered an incumbent in the election division created under subdivision (a) in which he or she resides.

(6) Upon the expiration of 8 years after the effective date of the amendatory act that added this subsection, the election divisions created under subsection (5) are abolished and the judges of the fifty-fifth district must be elected at large.

(7) If the consolidated district is created under subsection (4), a jury trial in the fifty-fifth district conducted in connection with a criminal offense or any other cause of action that occurred in the city of Lansing or the township of Lansing must be before a jury of citizens who are residents of those 2 political subdivisions.

(8) If the consolidated district is created under subsection (4), a jury trial in the fifty-fifth district conducted in connection with a criminal offense or any other cause of action that occurred in the city of East Lansing must be before a jury of citizens who are residents of that political subdivision.

(9) If the consolidated district is created under subsection (4), a jury trial in the fifty-fifth district conducted in connection with a criminal offense or any other cause of action that occurred in the county of Ingham, except for the cities of Lansing and East Lansing or the township of Lansing, must be before a jury of citizens who are residents of the county of Ingham, except for the cities of Lansing or East Lansing or the township of Lansing.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved

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Governor