

HOUSE BILL NO. 4749

July 29, 2025, Introduced by Reps. Roth, Borton, Coffia and Longjohn and referred to Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 810a, 8151, and 8176 (MCL 600.810a, 600.8151,
and 600.8176), section 810a as amended by 2011 PA 300, section 8151
as amended by 2012 PA 33, and section 8176 as amended by 2022 PA 7,
and by adding section 8165.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 810a. (1) The probate judges in the counties of Arenac,
2 **Crawford, Iron,** Kalkaska, ~~Crawford,~~ Lake, ~~Iron,~~ and Ontonagon have
3 the jurisdiction, powers, duties, and title of a district judge
4 within their respective counties, in addition to the jurisdiction,

1 powers, duties, and title of a probate judge.

2 (2) Beginning January 2, 2007, in addition to the probate
3 judges described in subsection (1), the probate judges in the
4 counties of Alcona, Baraga, Benzie, Missaukee, Montmorency, Oscoda,
5 and Presque Isle have the jurisdiction, powers, duties, and title
6 of a district judge within their respective counties, in addition
7 to the jurisdiction, powers, duties, and title of a probate judge.

8 (3) In counties where the only district judgeship is ~~being~~
9 eliminated and the section in chapter 81 that governs that district
10 court district provides that this section applies, the probate
11 judge in that county shall have the jurisdiction, powers, duties,
12 and title of a district judge within that county, in addition to
13 the jurisdiction, powers, duties, and title of a probate judge.

14 **(4) In addition to the probate judges described in subsections**
15 **(1) and (2), the probate judge in the county of Antrim has the**
16 **jurisdiction, powers, duties, and title of a district judge within**
17 **the county of Antrim, in addition to the jurisdiction, powers,**
18 **duties, and title of a probate judge.**

19 Sec. 8151. ~~(1) Except as provided in subsection (2), the~~ **The**
20 **eighty-sixth district consists of the counties of Grand Traverse 7**
21 ~~Antrim,~~ **and Leelanau, is a district of the first class, and has 3-2**
22 **judges. The district judges of the eighty-sixth district court who**
23 **are serving as of the effective date of this amendatory act shall**
24 **continue to serve as the incumbent judges of the eighty-sixth**
25 **district court.**

26 ~~(2) Beginning on the earlier of the following dates, the~~
27 ~~eighty-sixth district has 2 judges:~~

28 ~~(a) The date on which a vacancy occurs in the office of~~
29 ~~district judge in the eighty-sixth district.~~

~~(b) The beginning date of the term for which an incumbent district judge in the eighty-sixth district no longer seeks election or reelection to that office.~~

Sec. 8165. The ninety-ninth district consists of the county of Antrim and is a district of the first class. Under section 810a, the Antrim County probate judge shall serve as judge of the ninety-ninth district.

Sec. 8176. (1) Except as otherwise provided in this section, if a new district is proposed by law, that new district is not created and any district judgeship proposed for the district is not authorized or filled by election unless each district control unit in the proposed district, by resolution adopted by the governing body of the district control unit, approves the creation of the new district and each judgeship proposed for the district and unless the clerk of each district control unit adopting that resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the sixteenth Tuesday preceding the August primary for the election immediately preceding the effective date of the new district. The state court administrator shall immediately notify the elections division of the department of state with respect to each new judicial district and district judgeship authorized under this subsection.

(2) A resolution required under subsection (1) that is filed before the effective date of the amendatory act that authorized that new district is a valid approval for purposes of this section only if the filing occurs within the 2-year state legislative session during which the amendatory act was enacted. A resolution required under subsection (1) that is filed after the effective date of the amendatory act that authorized that new district is a

1 valid approval for purposes of this section only if the filing
2 occurs not later than 4 p.m. of the sixteenth Tuesday preceding the
3 August primary for the election immediately preceding the effective
4 date of the new district.

5 (3) By proposing a new district and 1 or more district
6 judgeships for the district, the legislature is not creating that
7 district or any judgeship in the district. If a district control
8 unit, acting through its governing body, approves the creation of a
9 new district and 1 or more district judgeships proposed by law for
10 that district, that approval constitutes an exercise of the
11 district control unit's option to provide a new activity or service
12 or to increase the level of activity or service offered in the
13 district control unit beyond that required by existing law, as the
14 elements of that option are defined by 1979 PA 101, MCL 21.231 to
15 21.244, and a voluntary acceptance by the district control unit of
16 all expenses and capital improvements which may result from the
17 creation of the new district and each judgeship. However, the
18 exercise of the option does not affect the state's obligation to
19 pay the same portion of each judge's salary which is paid by the
20 state to other district judges as provided by law, or to
21 appropriate and disburse funds to the district control unit for the
22 necessary costs of state requirements established by a state law
23 that becomes effective on or after December 23, 1978.

24 (4) Each district judgeship created under subsection (1) must
25 be filled by election under the Michigan election law, 1954 PA 116,
26 MCL 168.1 to 168.992. The first term of each district judgeship
27 shall be 6 years, unless the law permitting the creation of the new
28 district and 1 or more judgeships provides for a term of a
29 different length.

1 (5) The reformation of the seventy-eighth, seventy-ninth,
2 eighty-first, eighty-second, eighty-third, and eighty-seventh
3 judicial districts under 2002 PA 92 does not require the approval
4 of the district control unit under this section or section 8175.

5 (6) The reformation of the seventy-eighth and seventy-ninth
6 judicial districts under ~~the amendatory act that added this~~
7 ~~subsection~~ **2022 PA 7** does not require the approval of the district
8 control unit under this section or section 8175.

9 **(7) The creation of the ninety-ninth judicial district under**
10 **the amendatory act that added this subsection does not require the**
11 **approval of the district control unit under this section.**

12 Enacting section 1. This amendatory act takes effect January
13 1, 2026.