

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5279

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8126 (MCL 600.8126).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8126. (1) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (2),
2 THE fifty-sixth district consists of the counties of Barry and
3 Eaton, is a district of the first class, and is divided into the
4 following election divisions:

5 (a) The first division consists of the county of Barry and
6 has 1 judge.

7 (b) The second division consists of the county of Eaton and
8 has 2 judges.

9 (2) EFFECTIVE JANUARY 1, 1999, IF THE COUNTY OF EATON
10 APPROVES THE CREATION OF THE FIFTY-SIXTH-A DISTRICT PURSUANT TO
11 LAW, AND IF THE COUNTY OF BARRY APPROVES THE CREATION OF THE

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1 FIFTY-SIXTH-B DISTRICT PURSUANT TO LAW, BOTH OF THE FOLLOWING
2 APPLY:

3 (A) THE FIFTY-SIXTH-A DISTRICT CONSISTS OF THE COUNTY OF
4 EATON, IS A DISTRICT OF THE FIRST CLASS, AND HAS 2 JUDGES.

5 (B) THE FIFTY-SIXTH-B DISTRICT CONSISTS OF THE COUNTY OF
6 BARRY, IS A DISTRICT OF THE FIRST CLASS, AND HAS 1 JUDGE.

7 Enacting section 1. The creation of the fifty-sixth-a dis-
8 trict and the fifty-sixth-b district, as allowed by this 1998
9 amendatory act, shall not take place unless resolutions of
10 approval by the county boards of commissioners of the counties of
11 Barry and Eaton, as required by section 8176 of the revised judi-
12 cature act of 1961, 1961 PA 236, MCL 600.8176, are filed with the
13 state court administrator not later than April 1, 1998.

14 Enacting section 2. If new judicial districts of the dis-
15 trict court are created under this amendatory act pursuant to
16 section 8176 of the revised judicature act of 1961, 1961 PA 236,
17 MCL 800.8176, the change in the composition of the affected judi-
18 cial districts shall take effect for election purposes on
19 April 1, 1998 and shall take effect for judicial purposes on
20 January 1, 1999. If the fifty-sixth-a district and the
21 fifty-sixth-b district are created pursuant to this amendatory
22 act, all of the following apply as to the incumbent judges of the
23 fifty-sixth district:

24 (a) The incumbent judge who resides in the first election
25 division of the fifty-sixth district and whose term expires on
26 January 1, 2001 shall become a judge of the fifty-sixth-b
27 district on January 1, 1999 for the balance of the term for which

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1 he or she was elected or appointed, except that he or she must
2 continue to meet other requirements for eligibility to serve as
3 district judge, including residency requirements.

4 (b) If the incumbent judge in the second election division
5 whose term expires January 1, 1999 seeks election in the
6 fifty-sixth-a district for a term beginning January 1, 1999 and
7 meets other requirements for eligibility to serve as district
8 judge, including residency requirements, that judge is entitled
9 to the designation of his or her office on the ballot in the 1998
10 August primary election and in the 1998 November general
11 election. The incumbent judge may qualify for nomination by
12 filing an affidavit of candidacy as an incumbent judge of the
13 fifty-sixth-a district as provided in section 467c of the
14 Michigan election law, 1954 PA 116, MCL 168.467c.

15 (c) The incumbent judge in the second election division
16 whose term expires January 1, 2003 shall become a judge of the
17 fifty-sixth-a district on January 1, 1999 for the balance of the
18 term for which he or she was elected or appointed, except that he
19 or she must continue to meet other requirements for eligibility
20 to serve as district judge, including residency requirements.