

**SUBSTITUTE FOR
SENATE BILL NO. 471**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8134 (MCL 600.8134), as amended by 2014 PA 60.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8134. (1) Unless the sixty-seventh district court and the
2 sixty-eighth district court are consolidated under subsection (4),
3 the sixty-seventh district consists of the county of Genesee except
4 the city of Flint, is a district of the second class, and is
5 divided into the following election divisions:

6 (a) The first division consists of the cities of Flushing and
7 Clio and the townships of Flushing, Flint, Montrose, Thetford, and
8 Vienna and has 1 judge.

9 (b) The second division consists of the cities of Davison and

Burton and the townships of Davison, Forest, Richfield, and Atlas and has 2 judges.

(c) The third division consists of the city of Mt. Morris and the townships of Mt. Morris and Genesee and has 1 judge.

(d) The fourth division consists of the cities of ~~Fenton~~, Grand Blanc ~~,~~ and Swartz Creek and the townships of Fenton, Argentine, Grand Blanc, Mundy, Gaines, and Clayton and has 2 judges. **THE FOURTH DIVISION ALSO INCLUDES THE CITY OF FENTON, WHICH IS LOCATED IN BOTH THE COUNTIES OF GENESEE AND OAKLAND.**

(2) Unless the sixty-seventh district court and the sixty-eighth district court are consolidated under subsection (4), notwithstanding any other provision of this act, the county board of commissioners may by resolution designate the county seat as a place where the court for the sixty-seventh district shall sit in a central court facility. The adoption of a resolution described in this subsection does not require the approval of the majority of the judges of the district, and binds the county to maintain a court facility in each municipality in the sixty-seventh district where a court facility exists on the date of the resolution.

(3) Except as provided in subsection (4), the sixty-eighth district consists of the city of Flint, is a district of the third class, and has the following number of judges:

(a) Until the date determined under subdivision (b), ~~takes effect,~~ this district has 5 judges.

(b) This district has 4 judges beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of

1 district judge in the sixty-eighth district, unless the vacancy
2 occurs after the vacating judge has been defeated in a primary or
3 general election.

4 (ii) The beginning date of the term for which an incumbent
5 district judge in the sixty-eighth district no longer seeks
6 election or reelection to that office.

7 (4) If the governing body of the county of Genesee, by a vote
8 of 2/3 of the commissioners elected and serving, and the governing
9 body of the city of Flint approve by resolutions the consolidation
10 of the sixty-seventh and sixty-eighth districts, all of the
11 following apply:

12 (a) Beginning the first January 2 after the approval of both
13 governing bodies, the sixty-eighth district is abolished and the
14 sixty-seventh district consists of the county of Genesee, is a
15 district of the first class, and is divided into the following
16 election divisions:

17 (i) The first division consists of the cities of Flushing and
18 Clio and the townships of Flushing, Flint, Montrose, Thetford, and
19 Vienna and has 1 judge.

20 (ii) The second division consists of the cities of Davison and
21 Burton and the townships of Davison, Forest, Richfield, and Atlas
22 and has 2 judges.

23 (iii) The third division consists of the city of Mt. Morris
24 and the townships of Mt. Morris and Genesee and has 1 judge.

25 (iv) The fourth division consists of the cities of ~~Fenton~~,
26 Grand Blanc ~~—~~and Swartz Creek and the townships of Fenton,
27 Argentine, Grand Blanc, Mundy, Gaines, and Clayton and has 2

1 judges. **THE FOURTH DIVISION ALSO INCLUDES THE CITY OF FENTON, WHICH**
2 **IS LOCATED IN BOTH THE COUNTIES OF GENESEE AND OAKLAND.**

3 (v) The fifth division consists of the city of Flint. The
4 judgeships in the fifth division shall be filled by the incumbent
5 judges of the sixty-eighth district, who shall become judges of the
6 fifth division for the balance of the term to which they were
7 elected or appointed. The fifth division has the following number
8 of judges:

9 (A) If there are 5 judges in the sixty-eighth district at the
10 time the sixty-seventh and sixty-eighth districts are consolidated,
11 this division has 5 judges. This division has 4 judges beginning on
12 the date on which a vacancy occurs in the office of district judge
13 in this division unless the vacancy occurs after the vacating judge
14 has been defeated in a primary or general election, or the
15 beginning date of the term for which an incumbent district judge in
16 this division no longer seeks election or reelection to that
17 office, whichever is earlier.

18 (B) If there are 4 judges in the sixty-eighth district at the
19 time the sixty-seventh and sixty-eighth districts are consolidated,
20 this division has 4 judges.

21 (b) The clerk of the county of Genesee and the clerk of the
22 city of Flint shall file copies of the resolutions with the state
23 court administrator, who, as authorized by the supreme court, shall
24 notify the elections division of the department of state that the
25 consolidation has been approved under this section.

26 (c) For not less than 2 years after ~~the effective date of the~~
27 ~~amendatory act that added this subdivision,~~ **MARCH 27, 2014**, the

1 governing body of the county of Genesee shall maintain a court
2 facility in each municipality within the county where a court
3 facility exists on ~~the effective date of the amendatory act that~~
4 ~~added this subdivision.~~ **MARCH 27, 2014.** The governing body of the
5 county of Genesee may maintain court facilities in any municipality
6 within the county after ~~the 2-year period described in this~~
7 ~~subdivision has elapsed.~~ **MARCH 27, 2016.**

8 (d) By proposing or authorizing the consolidation of the
9 sixty-seventh and sixty-eighth districts, the legislature is not
10 creating a new obligation for any affected district control unit.
11 If a district control unit, acting through its governing body,
12 approves the consolidation, then the approval constitutes an
13 exercise of the district control unit's option to increase the
14 level of activity and service offered in that district control unit
15 beyond that required by existing law, as the elements of that
16 option are provided by 1979 PA 101, MCL 21.231 to 21.244, and a
17 voluntary acceptance by that district control unit of all expenses
18 and capital improvements that may result from the consolidation of
19 the districts. However, the exercise of the option does not affect
20 the state's obligation to pay the same portion of each judge's
21 salary that is paid by the state to other district judges as
22 provided by law, or to appropriate and disburse funds to the
23 district control unit for the necessary costs of state requirements
24 established by a state law that takes effect on or after December
25 23, 1978.

26 (e) Sections 8177 and 8178 do not apply to the consolidation
27 of the sixty-seventh and sixty-eighth districts.

1 Enacting section 1. This amendatory act takes effect 90 days
2 after the date it is enacted into law.