

HOUSE BILL NO. 5184

October 31, 2019, Introduced by Reps. Hood, Pagan, Ellison, Manoogian, Cynthia Johnson, Stone, Anthony, Sneller, Sowerby, Tyrone Carter, Brixie, Cherry, Warren, Lasinski, Hoadley, Kennedy, Pohutsky, Hope, Kuppa, Bolden, Rabhi, Garza, Gay-Dagnogo, Wittenberg, Sabo and Greig and referred to the Committee on Government Operations.

A bill to amend 1961 PA 236, entitled
"Revised judiciary act of 1961,"
by amending sections 1021 and 5711 (MCL 600.1021 and 600.5711),
section 1021 as amended by 2002 PA 682 and section 5711 as amended
by 2014 PA 223.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1021. (1) Except as otherwise provided by law, the family
- 2 division of circuit court has sole and exclusive jurisdiction over
- 3 the following cases commenced on or after January 1, 1998:
- 4 (a) Cases of divorce and ancillary matters as set forth in the



1 following statutes:

2 (i) 1846 RS 84, MCL 552.1 to 552.45.

3 (ii) 1909 PA 259, MCL 552.101 to 552.104.

4 (iii) 1911 PA 52, MCL 552.121 to 552.123.

5 (iv) 1913 PA 379, MCL 552.151 to 552.156.

6 (v) The friend of the court act, 1982 PA 294, MCL 552.501 to
7 552.535.

8 (vi) 1905 PA 299, MCL 552.391.

9 (vii) 1949 PA 42, MCL 552.401 to 552.402.

10 (viii) The family support act, 1966 PA 138, MCL 552.451 to
11 552.459.

12 (ix) The support and parenting time enforcement act, 1982 PA
13 295, MCL 552.601 to 552.650.

14 (x) The interstate income withholding act, 1985 PA 216, MCL
15 552.671 to 552.685.

16 (b) Cases of adoption as provided in chapter X of the probate
17 code of 1939, 1939 PA 288, MCL 710.21 to 710.70.

18 (c) Cases involving certain children incapable of adoption
19 under 1925 PA 271, MCL 722.531 to 722.534.

20 (d) Cases involving a change of name as provided in chapter XI
21 of the probate code of 1939, 1939 PA 288, MCL 711.1 to 711.3.

22 (e) Cases involving juveniles as provided in chapter XIIA of
23 the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32.

24 (f) Cases involving the status of minors and the emancipation
25 of minors under 1968 PA 293, MCL 722.1 to 722.6.

26 (g) Cases of child custody under the child custody act of
27 1970, 1970 PA 91, MCL 722.21 to 722.31, and child custody
28 jurisdiction as provided in the uniform child-custody jurisdiction



1 and enforcement act, 2001 PA 195, MCL 722.1101 to 722.1406.

2 (h) Cases involving paternity and child support under the
3 paternity act, 1956 PA 205, MCL 722.711 to 722.730.

4 ~~(i) Cases involving parental consent for abortions performed~~
5 ~~on unemancipated minors under the parental rights restoration act,~~
6 ~~1990 PA 211, MCL 722.901 to 722.908.~~

7 (i) ~~(j)~~ Cases involving child support under the revised
8 uniform reciprocal enforcement of support act, 1952 PA 8, MCL
9 780.151 to 780.183.

10 (j) ~~(k)~~ Cases involving personal protection orders and foreign
11 protection orders under sections 2950 to 2950m.

12 (2) The family division of circuit court has ancillary
13 jurisdiction over the following cases commenced on or after January
14 1, 1998:

15 (a) Cases involving guardians and conservators as provided in
16 article 5 of the estates and protected individuals code, 1998 PA
17 386, MCL 700.5101 to 700.5520.

18 (b) Cases involving treatment of, or guardianship of, mentally
19 ill or developmentally disabled persons under the mental health
20 code, 1974 PA 258, MCL 330.1001 to 330.2106.

21 (3) A probate judge identified in section 1011 as serving
22 pursuant to the family court plan has the same power and authority,
23 within the county or probate court district in which he or she
24 serves as probate judge, as that of a circuit judge over cases
25 described in subsection (1), in addition to all the power and
26 authority of a judge of the probate court.

27 Sec. 5711. (1) A person shall not make any entry into or upon
28 a premises unless the entry is permitted by law.

29 (2) Subject to subsection (3), if entry is permitted by law,



1 the person shall not enter with force but only in a peaceable
2 manner.

3 (3) If the occupant took possession of the premises by means
4 of a forcible entry, holds possession of the premises by force, or
5 came into possession of the premises by trespass without color of
6 title or other possessory interest, the owner, lessor, or licensor
7 or an agent thereof may enter the premises and subsection (2) does
8 not apply to the entry. However, any forcible entry shall not
9 include conduct proscribed by chapter XI of the Michigan penal
10 code, 1931 PA 328, MCL 750.81 to ~~750.90h~~**750.90g**.

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

13 Enacting section 2. This amendatory act does not take effect
14 unless Senate Bill No.____ or House Bill No. 5179 (request no.
15 03569'19) of the 100th Legislature is enacted into law.

