



SENATE BILL No. 1058

June 4, 1996, Introduced by Senator CONROY and referred to the Committee on Judiciary.

A bill to amend sections 8134 and 8251 of Act No. 236 of the Public Acts of 1961, entitled as amended "Revised judicature act of 1961," section 8134 as amended by Act No. 75 of the Public Acts of 1987 and section 8251 as amended by Act No. 5 of the Public Acts of 1994, being sections 600.8134 and 600.8251 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 8134 and 8251 of Act No. 236 of the
2 Public Acts of 1961, section 8134 as amended by Act No. 75 of the
3 Public Acts of 1987 and section 8251 as amended by Act No. 5 of
4 the Public Acts of 1994, being sections 600.8134 and 600.8251 of
5 the Michigan Compiled Laws, are amended to read as follows:

6 Sec. 8134. (1) The sixty-seventh district consists of the
7 county of Genesee except the city of Flint, is a district of the

1 second class and is divided into the following election
2 divisions:

3 (a) The first division consists of the cities of Flushing
4 and Clio and the townships of Flushing, Flint, Montrose,
5 Thetford, and Vienna and has 1 judge. THE LOCATION OF A COURT
6 FACILITY WITHIN THE FIRST DIVISION IS SUBJECT TO SUBSECTION (3).

7 (b) The second division consists of the cities of Davison
8 and Burton and the townships of Davison, Forest, Richfield, and
9 Atlas and has 2 judges.

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

12 (d) The fourth division consists of the cities of Fenton,
13 Grand Blanc, and Swartz Creek and the townships of Fenton,
14 Argentine, Grand Blanc, Mundy, Gaines, and Clayton and has 2
15 judges.

16 (2) Notwithstanding any other provision of this act, the
17 county board of commissioners may by resolution designate the
18 county seat as a place where the court for the sixty-seventh dis-
19 trict shall sit in a central court facility. The adoption of
20 such a resolution shall not require the approval of the majority
21 of the judges of the district, and shall bind the county to main-
22 tain a court facility in each municipality in the sixty-seventh
23 district where a court facility exists on the date of the
24 resolution.

25 (3) NOTWITHSTANDING SECTION 8251(2), THE COURT FOR THE
26 SIXTY-SEVENTH DISTRICT, IN THE FIRST ELECTORAL DIVISION, SHALL
27 SIT AT THE TOWNSHIP OF FLINT, AND SHALL NO LONGER SIT AT THE CITY

1 OF FLUSHING. HOWEVER, THE PROVISIONS OF THIS SUBSECTION SHALL
2 NOT TAKE EFFECT UNLESS THE COUNTY BOARD OF COMMISSIONERS FOR THE
3 COUNTY OF GENESEE ADOPTS A RESOLUTION APPROVING THOSE CHANGES AND
4 FILES A COPY OF THE RESOLUTION WITH THE STATE COURT
5 ADMINISTRATOR.

6 (4) ~~(3)~~ The sixty-eighth district consists of the city of
7 Flint, is a district of the third class and has 6 judges.
8 Subject to section 8175, this district may have 1 additional
9 judge effective January 1, 1981.

10 Sec. 8251. (1) In districts of the first class, the court
11 shall sit at each county seat and at each city having a popula-
12 tion of 3,250 or more, except the court shall not be required to
13 sit at any city if it is contiguous to the county seat or conti-
14 guous to a city having a greater population. The court shall
15 also sit at other places as the judges of the district
16 determine. The court shall sit not less than once each week in
17 each county of a multicounty district.

18 (2) In districts of the second class, UNLESS SPECIFICALLY
19 DIRECTED OTHERWISE BY LAW, the court shall sit at any county seat
20 within the district, and at each city and incorporated village
21 within the district having a population of 3,250 or more, except
22 that if 2 or more cities or incorporated villages are contiguous
23 the court need sit only in the city having the ~~greater~~ GREATEST
24 population. The court shall not be required to sit in any polit-
25 ical subdivision if the governing body of that subdivision by
26 resolution and the court agree that the court shall not sit in
27 the political subdivision. If the district does not contain a

1 county seat and does not contain any city or incorporated village
2 having a population of 3,250 or more, the court shall sit at a
3 place or places within the district as the judges of the district
4 determine. In addition to the place or places where the court is
5 required to sit, the court may upon agreement of a majority of
6 the judges of the district and upon approval by resolution of the
7 board of commissioners also sit at the county seat of its dis-
8 trict control unit situated outside the district, but the court
9 shall sit not less than once each week within the district. If
10 the district does not contain any city, then the foregoing provi-
11 sions of this subsection do not apply to the district, and the
12 court shall sit at the county seat of its district control unit
13 situated outside the district. In addition to the place or
14 places where the court is required to sit pursuant to the provi-
15 sions of this subsection, the court may sit at a place or places
16 within the district as the judges of the district determine. If
17 the court sits at a county seat situated outside the district
18 pursuant to this subsection, it shall exercise the same powers,
19 jurisdiction, and venue as if sitting within the district.

20 (3) In districts of the third class, the court shall sit at
21 each city having a population of 3,250 or more and within each
22 township having a population of 12,000 or more and at other
23 places as the judges of the district determine. The court shall
24 not be required to sit in any political subdivision if the gov-
25 erning body of that subdivision by resolution and the court agree
26 that the court shall not sit in the political subdivision.

1 (4) Each judge of the district shall sit at places within
2 the district as the presiding judge designates.

3 (5) A district judge or district court magistrate may sit at
4 a place outside the district under a multiple district plan pur-
5 suant to section 8320.

6 (6) As used in this section, "population" means population
7 according to the most recent federal decennial census, except
8 that the most recent census shall not apply until the expiration
9 of 18 months from the date on which the census is taken.