

# HOUSE BILL NO. 4407

March 20, 2019, Introduced by Reps. Guerra, Elder, Hope, LaGrand and Bolden and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 8512 (MCL 600.8512), as amended by 2014 PA 384.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 8512. (1) A district court magistrate may hear and  
2       preside over civil infraction admissions, admissions with  
3       explanation, **and** motions to set aside default or withdraw  
4       admissions, and **may** conduct informal hearings in civil infraction  
5       actions under section 746 of the Michigan vehicle code, 1949 PA  
6       300, MCL 257.746, **the Michigan regulation and taxation of marihuana**



1 act, 2018 IL 1, MCL 333.27951 to 333.27967, or section 8719 or  
 2 section 8819 of this act, **or in civil fine actions under the**  
 3 **Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to**  
 4 **333.26430**, as applicable. In exercising the authority conferred by  
 5 this subsection, a district court magistrate may administer oaths,  
 6 examine witnesses, and make findings of fact and conclusions of  
 7 law. If a defendant is determined to be responsible for a civil  
 8 infraction, **or, under the Michigan medical marihuana act, 2008 IL**  
 9 **1, MCL 333.26421 to 333.26430, a civil fine**, the district court  
 10 magistrate may impose the civil sanctions authorized by section 907  
 11 of the Michigan vehicle code, 1949 PA 300, MCL 257.907, **the**  
 12 **Michigan regulation and taxation of marihuana act, 2018 IL 1, MCL**  
 13 **333.27951 to 333.27967, the Michigan medical marihuana act, 2008 IL**  
 14 **1, MCL 333.26421 to 333.26430**, or section 8827 of this act, as  
 15 applicable.

16 (2) A district court magistrate shall not conduct an informal  
 17 hearing in a civil infraction action involving a traffic or parking  
 18 violation governed by the Michigan vehicle code, 1949 PA 300, MCL  
 19 257.1 to 257.923, until he or she has successfully completed a  
 20 special training course in traffic law adjudication and sanctions.  
 21 The course ~~shall~~**must** be given periodically by the state court  
 22 administrator.

23 (3) A district court magistrate may exercise the authority  
 24 conferred by this section only to the extent expressly authorized  
 25 by the chief judge, presiding judge, or only judge of the district  
 26 court district.

