

# HOUSE BILL NO. 5442

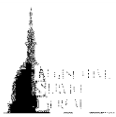
February 04, 2020, Introduced by Reps. Elder, Peterson, Tyrone Carter, Haadsma, Liberati, Brixie and Sneller and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 8202 (MCL 600.8202), as amended by 2016 PA 31.

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

1       Sec. 8202. (1) A district judge ~~shall~~**must** receive an annual  
2 salary payable by this state as calculated under this section.

3       (2) In addition to the salary received from this state under  
4 subsection (1), a district judge may receive from a district  
5 funding unit in which the judge regularly holds court an additional  
6 salary as determined by the governing legislative body of the



1 district funding unit as provided in this section. Supplemental  
 2 salaries paid by a district funding unit ~~shall~~**must** be uniform as  
 3 to all judges who regularly hold court in the district funding  
 4 unit. However, the total annual additional salary paid to a  
 5 district court judge by the district funding units in which the  
 6 judge regularly holds court ~~shall~~**must** not cause the district  
 7 judge's total annual salary received from state and district  
 8 funding unit funds to exceed the maximum total salary allowed under  
 9 this section.

10 (3) Each district judge ~~shall~~**must** receive an annual salary  
 11 calculated as follows:

12 (a) A minimum annual salary payable by the state that is equal  
 13 to the difference between ~~84%~~**85%** of the salary of a justice of the  
 14 supreme court as of December 31, ~~2015~~**2020** and \$45,724.00.

15 (b) In addition to the amount calculated under subdivision  
 16 (a), a salary of \$45,724.00 from the district funding unit or units  
 17 as provided in subsection (2). If a district judge receives a total  
 18 additional salary of \$45,724.00 from the district funding unit or  
 19 units and receives neither less than nor more than \$45,724.00,  
 20 including any cost-of-living allowance, the state shall reimburse  
 21 the district funding unit or units the amount that the unit or  
 22 units have paid to the judge.

23 (c) In addition to the amounts under subdivisions (a) and (b),  
 24 an amount payable by the state that is equal to the amounts  
 25 calculated under subdivisions (a) and (b) multiplied by the  
 26 compounded aggregate percentage pay increases, excluding lump-sum  
 27 payments, paid to civil service nonexclusively represented  
 28 employees classified as executives and administrators on or after  
 29 January 1, ~~2016~~**2021**. The additional salary under this subdivision



1 takes effect on the same date as the effective date of the pay  
2 increase paid to civil service nonexclusively represented employees  
3 classified as executives and administrators. The additional salary  
4 under this subdivision ~~shall~~**must** not be based on a pay increase  
5 paid to civil service nonexclusively represented employees  
6 classified as executives and administrators if the effective date  
7 of the increase was before January 1, ~~2016~~**2021**.

8 (d) In addition to the amounts under subdivisions (a), (b),  
9 and (c), an amount payable by the state that is equal to the  
10 difference between the amounts paid to probate court judges under  
11 section 821(2)(c) between January 1, 2016 and December 31, 2018 and  
12 paid to district court judges under subdivision (c) between January  
13 1, 2016 and December 31, 2018.

14 (4) A district judge who holds court in a county other than  
15 the county of the judge's residence ~~shall~~**must** be reimbursed for  
16 his or her actual and necessary expenses incurred in holding court  
17 upon certification and approval by the state court administrator.  
18 Upon certification of the judge's expenses, the sum ~~shall~~**must** be  
19 paid out of the state treasury under the accounting laws of this  
20 state.

21 (5) Salaries of a district court judge may be increased but  
22 ~~shall~~**must** not be decreased during a term of office, except to the  
23 extent of a general salary reduction in all other branches of  
24 government.

25 (6) A judge of the district court is eligible to be a member  
26 of the Michigan judges retirement system created under the judges  
27 retirement act of 1992, 1992 PA 234, MCL 38.2101 to 38.2670.

28 (7) The district court in a district may hold evening and  
29 Saturday sessions.



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

