

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 747 (as introduced 10-8-97)
Senate Bill 834 (as introduced 12-4-97)
Sponsor: Senator Jon Cisky (Senate Bill 747)
 Senator Joel D. Gougeon (Senate Bill 834)
Committee: Judiciary

Date Completed: 1-22-98

CONTENT

Senate Bills 747 and 834 would amend the Revised Judicature Act (RJA) to split into two districts the current 65th judicial district, which consists of Gratiot and Clinton Counties, and the current 73rd judicial district, which consists of Huron and Sanilac Counties, with local approval.

Senate Bill 747

The 65th judicial district consists of the Counties of Gratiot and Clinton, is a district of the first class, and is divided into two election divisions. The first division consists of Gratiot County and has one judge; the second division consists of Clinton County and has one judge.

Under the bill, effective January 1, 1999, if Clinton County approved the creation of the the 65th-A district, and if Gratiot County approved the creation of the 65th-B district, the 65th-A district would consist of the County of Clinton and have one judge and the 65th-B district would consist of the County of Gratiot and have one judge. Each would be a district of the first class.

The bill specifies that the creation of the two new districts could not take place unless resolutions of approval by the county boards of commissioners were filed with the State Court Administrator by April 1, 1998. If the new judicial districts were created, the change in the composition of the districts would take effect for judicial purposes on January 1, 1999.

If the new districts were created, the incumbent judge who resides in Clinton County and whose term expires on January 1, 2003, would become a judge of the 65th-A district on January 1, 1999, for the balance of the judge's elected term. The incumbent judge who resides in Gratiot County and whose term expires on January 1, 2003, would become a judge of the 65th-B district on January 1, 1999, for the balance of the judge's elected term. Both judges would have to continue to meet other requirements for eligibility, including residency requirements.

Senate Bill 834

The 73rd judicial district consists of the Counties of Huron and Sanilac, is a district of the first class, and is divided into two election divisions. The first division consists of Huron County and has one judge; the second division consists of Sanilac County and has one judge.

Under the bill, effective January 1, 1999, if Sanilac County approved the creation of the the 73rd-A district, and if Huron County approved the creation of the 73rd-B district, the 73rd-A district would consist of the County of Sanilac and have one judge and the 73rd-B district would consist of the

County of Huron and have one judge. Each would be a district of the first class.

The bill specifies that the creation of the two new districts could not take place unless resolutions of approval by the county boards of commissioners were filed with the State Court Administrator by April 1, 1998. If the new judicial districts were created, the change in the composition of the districts would take effect for judicial purposes on January 1, 1999.

If the new districts were created, the incumbent judge who resides in Sanilac County and whose term expires on January 1, 2003, would become a judge of the 73rd-A district on January 1, 1999, for the balance of the judge's elected term. The incumbent judge who resides in Huron County and whose term expires on January 1, 2003, would become a judge of the 73rd-B district on January 1, 1998, for the balance of the judge's elected term. Both judges would have to continue to meet other requirements for eligibility, including residency requirements.

MCL 600.8132 (S.B. 747)
600.8138 (S.B. 834)

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.