

HOUSE BILL No. 5425

March 25, 2014, Introduced by Rep. Schor and referred to the Committee on Health Policy.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8302 (MCL 600.8302), as amended by 1994 PA 12.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8302. (1) In addition to the civil jurisdiction provided
2 in sections 5704 and 8301, the district court has equitable
3 jurisdiction and authority concurrent with that of the circuit
4 court in the matters and to the extent provided by this section.

5 (2) In cases brought under chapter 84, the district court may
6 issue and enforce an injunctive order or an order rescinding or
7 reforming a contract.

8 (3) In an action under chapter 57, the district court may hear

1 and determine an equitable claim relating to or arising under
2 chapter 31, 33, or 38 or involving a right, interest, obligation,
3 or title in land. The court may issue and enforce a judgment or
4 order necessary to effectuate the court's equitable jurisdiction as
5 provided in this subsection, including the establishment of escrow
6 accounts and receiverships.

7 (4) In an action under chapter 87, the district court may
8 issue and enforce any judgment, writ, or order necessary to enforce
9 the ordinance. The grant of equitable jurisdiction and authority to
10 the district court under this subsection does not affect the
11 jurisdiction of the circuit court to do either of the following:

12 (a) Hear and decide claims based on nuisance or abate
13 nuisances under section 2940.

14 (b) Hear and decide actions challenging the validity or
15 applicability of an ordinance and, in those actions, enjoin a
16 defendant from enforcing the ordinance in the district court or in
17 a municipal court pending the outcome of the action in circuit
18 court.

19 **(5) THE DISTRICT COURT HAS EQUITABLE JURISDICTION IN AN ACTION**
20 **UNDER SECTION 1F(4) OF 1972 PA 348, MCL 554.601F.**

21 Enacting section 1. This amendatory act does not take effect
22 unless House Bill No. 5199 of the 97th Legislature is enacted into
23 law.