

# HOUSE BILL NO. 4823

June 15, 2023, Introduced by Reps. Wozniak, Jaime Greene, Aragona, Kuhn and St. Germaine and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 803 (MCL 600.803), as amended by 2022 PA 8.

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

1           Sec. 803. (1) Except as otherwise provided in this section,  
2 each county that is not part of a probate court district created by  
3 law has 1 judge of probate.

4           (2) Each probate court district created by law has 1 judge of  
5 probate.

6           (3) The county of Sanilac has 1 judge of probate. Under

1 section 15 of article VI of the state constitution of 1963, the  
 2 office of probate judge for the county of Sanilac is combined with  
 3 the office of judge of the seventy-third-a judicial district.

4 (4) The county of Huron has the following number of judges of  
 5 probate:

6 (a) Beginning April 1, 2012, under section 15 of article VI of  
 7 the state constitution of 1963, the office of probate judge for the  
 8 county of Huron is combined with the office of judge of the  
 9 seventy-third-b judicial district, and the county of Huron shall  
 10 have 2 judges of probate. The judgeship added under this  
 11 subdivision must be filled by the incumbent judge of the seventy-  
 12 third-b judicial district, who shall become a probate judge for the  
 13 county of Huron for the balance of the term to which ~~he or she~~**the**  
 14 **judge** was elected.

15 (b) Beginning the earlier of the following dates, the county  
 16 of Huron has 1 judge of probate:

17 (i) The date on which a vacancy occurs in the office of probate  
 18 judge in this county.

19 (ii) The beginning date of the term for which an incumbent  
 20 probate judge in this county no longer seeks election or reelection  
 21 to that office.

22 (5) The county of Chippewa has 1 judge of probate. Under  
 23 section 15 of article VI of the state constitution of 1963, the  
 24 office of probate judge for the county of Chippewa is combined with  
 25 the office of judge of the ninety-first judicial district.

26 (6) The counties of Berrien, Genesee, Ingham, ~~Macomb,~~ Monroe,  
 27 Muskegon, Saginaw, St. Clair, and Washtenaw each ~~has~~**have** 2 judges  
 28 of probate.

29 (7) **The county of Macomb has 2 judges of probate. Subject to**

1 **section 805, the county of Macomb may have 1 additional judge of**  
2 **probate beginning January 1, 2025.**

3 (8) ~~(7)~~—The county of Kalamazoo has 3 judges of probate.

4 (9) ~~(8)~~—The county of Kent has ~~4~~**5** judges of probate. ~~Subject~~  
5 ~~to section 805, the county of Kent may have 1 additional judge~~  
6 ~~beginning January 1, 2023.~~

7 (10) ~~(9)~~—The county of Oakland has 4 judges of probate.

8 (11) ~~(10)~~—The county of Wayne has 8 judges of probate.

9 (12) ~~(11)~~—When 1 or more new judges of probate are authorized  
10 in a county under this section, the new judgeship or judgeships  
11 must appear on the ballot separate and apart from other judicial  
12 offices of the same court in the primary and general election.