

Act No. 7
Public Acts of 2022
Approved by the Governor
February 9, 2022
Filed with the Secretary of State
February 9, 2022
EFFECTIVE DATE: February 9, 2022

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Senators Bumstead and VanderWall

ENROLLED SENATE BILL No. 654

AN ACT to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending sections 528, 549c, 550a, 8143, 8144, and 8176 (MCL 600.528, 600.549c, 600.550a, 600.8143, 600.8144, and 600.8176), section 528 as amended by 2012 PA 18, section 550a as amended by 2012 PA 36, sections 8143 and 8176 as amended by 2002 PA 92, and section 8144 as amended by 2020 PA 82.

The People of the State of Michigan enact:

Sec. 528. (1) Until June 30, 2022, the twenty-seventh judicial circuit consists of the counties of Newaygo and Oceana and has 1 judge. Beginning July 1, 2022, the twenty-seventh judicial circuit consists of the counties of Newaygo and Lake and has 1 judge.

(2) The incumbent judge of the twenty-seventh judicial circuit who resides in Newaygo County shall become the judge of the reformed twenty-seventh judicial circuit on July 1, 2022, and shall serve until the term for which he or she was elected in the twenty-seventh judicial circuit expires.

Sec. 549c. (1) Until June 30, 2022, the fifty-first judicial circuit consists of the counties of Lake and Mason and has 1 judge. Beginning July 1, 2022, the fifty-first judicial circuit consists of the counties of Mason and Oceana and has 1 judge.

(2) The incumbent judge of the fifty-first judicial circuit who resides in Mason County shall become the judge of the reformed fifty-first judicial circuit on July 1, 2022, and shall serve until the term for which he or she was elected in the fifty-first judicial circuit expires.

Sec. 550a. (1) Except as otherwise provided in this section, if a new judicial circuit is proposed by law, that new circuit is not created and any circuit judgeship proposed for the circuit is not authorized or filled by election unless each county in the proposed circuit, by resolution adopted by the county board of commissioners, approves the creation of the new circuit and each judgeship proposed for the circuit and unless the clerk of each county adopting that resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of

the sixteenth Tuesday preceding the August primary immediately following the effective date of the amendatory act permitting the creation of the new circuit. The state court administrator shall immediately notify the elections division of the department of state with respect to each new judicial circuit and circuit judgeship authorized under this subsection.

(2) By proposing a new judicial circuit and 1 or more circuit judgeships for the circuit, the legislature is not creating that circuit or any judgeship in the circuit. If a county, acting through its board of commissioners, approves the creation of a new circuit and 1 or more circuit judgeships proposed by law for that circuit, that approval constitutes an exercise of the county's option to provide a new activity or service or to increase the level of activity or service offered in the county beyond that required by existing law, as the elements of that option are defined by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by the county of all expenses and capital improvements that may result from the creation of the new circuit and each judgeship. However, the exercise of the option does not affect the state's obligation to pay a portion of the circuit judge's or judges' salary as provided by law, or to appropriate and disburse funds to the county for the necessary costs of state requirements established by a state law that takes effect on or after December 23, 1978.

(3) Each circuit judgeship created under subsection (1) must be filled by election under the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992. The first term of each circuit judgeship is 6 years, unless the law permitting the creation of the new circuit and 1 or more judgeships provides for a term of a different length.

(4) The reformation of the eleventh, twenty-third, twenty-sixth, thirty-fourth, fiftieth, and fifty-third judicial circuits under 2002 PA 92 does not require a resolution of approval by the county board of commissioners under this section or section 550.

(5) The reformation of the twenty-seventh and fifty-first judicial circuits under the amendatory act that added this subsection does not require a resolution of approval by the county board of commissioners under this section or section 550.

Sec. 8143. (1) Until June 30, 2022, the seventy-eighth district consists of the counties of Newaygo and Oceana, is a district of the first class, and has 1 judge. Beginning July 1, 2022, the seventy-eighth district consists of the counties of Newaygo and Lake, is a district of the first class, and has 1 judge.

(2) The incumbent judge of the seventy-eighth district who resides in Newaygo County shall become the judge of the reformed seventy-eighth district on July 1, 2022, and shall serve until the term for which he or she was elected in the seventy-eighth district expires.

Sec. 8144. (1) Until June 30, 2022, the seventy-ninth district consists of the counties of Lake and Mason, is a district of the first class, and has 1 judge. Beginning July 1, 2022, the seventy-ninth district consists of the counties of Mason and Oceana, is a district of the first class, and has 1 judge.

(2) The incumbent judge of the seventy-ninth district who resides in Mason County shall become the judge of the reformed seventy-ninth district on July 1, 2022, and shall serve until the term for which he or she was elected in the seventy-ninth district expires.

Sec. 8176. (1) Except as otherwise provided in this section, if a new district is proposed by law, that new district is not created and any district judgeship proposed for the district is not authorized or filled by election unless each district control unit in the proposed district, by resolution adopted by the governing body of the district control unit, approves the creation of the new district and each judgeship proposed for the district and unless the clerk of each district control unit adopting that resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the sixteenth Tuesday preceding the August primary for the election immediately preceding the effective date of the new district. The state court administrator shall immediately notify the elections division of the department of state with respect to each new judicial district and district judgeship authorized under this subsection.

(2) A resolution required under subsection (1) that is filed before the effective date of the amendatory act that authorized that new district is a valid approval for purposes of this section only if the filing occurs within the 2-year state legislative session during which the amendatory act was enacted. A resolution required under subsection (1) that is filed after the effective date of the amendatory act that authorized that new district is a valid approval for purposes of this section only if the filing occurs not later than 4 p.m. of the sixteenth Tuesday preceding the August primary for the election immediately preceding the effective date of the new district.

(3) By proposing a new district and 1 or more district judgeships for the district, the legislature is not creating that district or any judgeship in the district. If a district control unit, acting through its governing body, approves the creation of a new district and 1 or more district judgeships proposed by law for that district, that approval

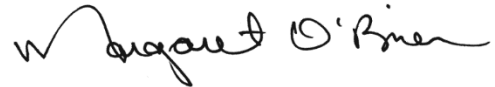
constitutes an exercise of the district control unit's option to provide a new activity or service or to increase the level of activity or service offered in the district control unit beyond that required by existing law, as the elements of that option are defined by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by the district control unit of all expenses and capital improvements which may result from the creation of the new district and each judgeship. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary which is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that becomes effective on or after December 23, 1978.

(4) Each district judgeship created under subsection (1) must be filled by election under the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992. The first term of each district judgeship shall be 6 years, unless the law permitting the creation of the new district and 1 or more judgeships provides for a term of a different length.

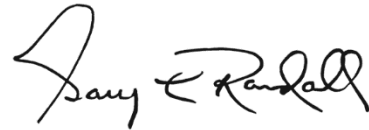
(5) The reformation of the seventy-eighth, seventy-ninth, eighty-first, eighty-second, eighty-third, and eighty-seventh judicial districts under 2002 PA 92 does not require the approval of the district control unit under this section or section 8175.

(6) The reformation of the seventy-eighth and seventy-ninth judicial districts under the amendatory act that added this subsection does not require the approval of the district control unit under this section or section 8175.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor