

**SENATE BILL NO. 558**

April 29, 1999, Introduced by Senator HAMMERSTROM and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8511 (MCL 600.8511), as amended by 1996 PA 79.

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

1       Sec. 8511. A district court magistrate shall have the fol-  
2       lowing jurisdiction and duties:

3       (a) To arraign and sentence upon pleas of guilty or nolo  
4       contendere for violations of the following acts or parts of acts,  
5       or a local ordinance substantially corresponding to these acts or  
6       parts of acts, when authorized by the chief judge of the district  
7       court and if the maximum permissible punishment does not exceed  
8       90 days in jail or a fine, or both:

9       ~~(i) Michigan vehicle code, Act No. 300 of the Public Acts~~  
10      ~~of 1949, being sections 257.1 to 257.923 of the Michigan Compiled~~

1 ~~Laws, except for violations of sections 625 and 625b of Act~~  
 2 ~~No. 300 of the Public Acts of 1949, being sections 257.625 and~~  
 3 ~~257.625b of the Michigan Compiled Laws. However, the magistrate~~  
 4 ~~may have the jurisdiction to arraign defendants and set bond with~~  
 5 ~~regard to violations of sections 625 and 625b of Act No. 300 of~~  
 6 ~~the Public Acts of 1949.~~

7       (i) ~~(ii)~~ Part 487 ~~(sport fishing)~~ of the natural  
 8 resources and environmental protection act, ~~Act No. 451 of the~~  
 9 ~~Public Acts of 1994, being sections 324.48701 to 324.48740 of the~~  
 10 ~~Michigan Compiled Laws~~ 1994 PA 451, MCL 324.48701 TO 324.48740.

11       (ii) ~~(iii)~~ Part 401 ~~(wildlife conservation)~~ of ~~Act~~  
 12 ~~No. 451 of the Public Acts of 1994, being sections 324.40101 to~~  
 13 ~~324.40119 of the Michigan Compiled Laws~~ THE NATURAL RESOURCES  
 14 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.40101 TO  
 15 324.40119.

16       (iii) ~~(iv)~~ Part 801 ~~(marine safety)~~ of ~~Act No. 451 of~~  
 17 ~~the Public Acts of 1994, being sections 324.80101 to 324.80199 of~~  
 18 ~~the Michigan Compiled Laws~~ THE NATURAL RESOURCES AND ENVIRONMEN-  
 19 TAL PROTECTION ACT, 1994 PA 451, MCL 324.80101 TO 324.80199.

20       (iv) ~~(v)~~ The motor carrier act, ~~Act No. 254 of the Public~~  
 21 ~~Acts of 1933, being sections 475.1 to 479.43 of the Michigan~~  
 22 ~~Compiled Laws~~ 1933 PA 254, MCL 475.1 TO 479.43.

23       (v) ~~(vi)~~ Motor carrier safety act of 1963, ~~Act No. 181 of~~  
 24 ~~the Public Acts of 1963, being sections 480.11 to 480.21 of the~~  
 25 ~~Michigan Compiled Laws~~ 1963 PA 181, MCL 480.11 TO 480.22.

26       (vi) ~~(vii)~~ Part 821 ~~(snowmobiles)~~ of ~~Act No. 451 of the~~  
 27 ~~Public Acts of 1994, being sections 324.82101 to 324.82159 of the~~

1 ~~Michigan Compiled Laws~~ THE NATURAL RESOURCES AND ENVIRONMENTAL  
 2 PROTECTION ACT, 1994 PA 451, MCL 324.82101 TO 324.82160.

3       (vii) ~~(viii)~~ Dog law of 1919, ~~Act No. 339 of the Public~~  
 4 ~~Acts of 1919, being sections 287.261 to 287.290 of the Michigan~~  
 5 ~~Compiled Laws~~ 1919 PA 339, MCL 287.261 TO 287.290.

6       (viii) ~~(ix)~~ Section ~~33a, 33b, or 34 of the Michigan~~  
 7 ~~liquor control act, Act No. 8 of the Public Acts of the Extra~~  
 8 ~~Session of 1933, being sections 436.33a, 436.33b, and 436.34 of~~  
 9 ~~the Michigan Compiled Laws~~ 703 OR 915 OF THE MICHIGAN LIQUOR  
 10 CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1703 AND 436.1915.

11       (ix) ~~(x)~~ Part 5 ~~(department of natural resources general~~  
 12 ~~powers and duties of Act No. 451 of the Public Acts of 1994,~~  
 13 ~~being sections 324.501 to 324.511 of the Michigan Compiled Laws~~  
 14 THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994  
 15 PA 451, MCL 324.501 TO 324.511.

16       (x) ~~(xi)~~ Part 811 ~~(off-road recreation vehicles)~~ of ~~Act~~  
 17 ~~No. 451 of the Public Acts of 1994, being sections 324.81101 to~~  
 18 ~~324.81150 of the Michigan Compiled Laws~~ THE NATURAL RESOURCES  
 19 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.81101 TO  
 20 324.81150.

21       (xi) ~~(xii)~~ Part 89 ~~(littering)~~ of ~~Act No. 451 of the~~  
 22 ~~Public Acts of 1994, being sections 324.8901 to 324.8907 of the~~  
 23 ~~Michigan Compiled Laws~~ THE NATURAL RESOURCES AND ENVIRONMENTAL  
 24 PROTECTION ACT, 1994 PA 451, MCL 324.8901 TO 324.8907.

25       (xii) ~~(xiii)~~ Part 435 ~~(hunting and fishing licensing)~~ of  
 26 ~~Act No. 451 of the Public Acts of 1994, being sections 324.43501~~  
 27 ~~to 324.43561 of the Michigan Compiled Laws~~ THE NATURAL RESOURCES

1 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.43501 TO  
2 324.43561.

3 (xiii) ~~(xiv)~~ Part 731 ~~(recreational trespass)~~ of ~~Act~~  
4 ~~No. 451 of the Public Acts of 1994, being sections 324.73101 to~~  
5 ~~324.73111 of the Michigan Compiled Laws~~ THE NATURAL RESOURCES  
6 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.73101 TO  
7 324.73111.

8 (xiv) ~~(xv)~~ Chapter LXXXV of the Michigan penal code, ~~Act~~  
9 ~~No. 328 of the Public Acts of 1931, being sections 750.546~~  
10 ~~to 750.552a of the Michigan Compiled Laws~~ 1931 PA 328,  
11 MCL 750.546 TO 750.552B.

12 (B) TO ARRAIGN AND SENTENCE UPON PLEAS OF GUILTY OR NOLO  
13 CONTENDERE FOR VIOLATIONS OF THE MICHIGAN VEHICLE CODE, 1949  
14 PA 300, MCL 257.1 TO 257.923, OR A LOCAL ORDINANCE SUBSTANTIALLY  
15 CORRESPONDING TO A PROVISION OF THE MICHIGAN VEHICLE CODE, 1949  
16 PA 300, MCL 257.1 TO 257.923, EXCEPT FOR VIOLATIONS OF  
17 SECTIONS 625 AND 625M OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,  
18 MCL 257.625 AND 257.625M, OR A LOCAL ORDINANCE SUBSTANTIALLY COR-  
19 RESPONDING TO SECTION 625 OR 625M OF THE MICHIGAN VEHICLE CODE,  
20 1949 PA 300, MCL 257.625 AND 257.625M, WHEN AUTHORIZED BY THE  
21 CHIEF JUDGE OF THE DISTRICT COURT AND IF THE MAXIMUM PERMISSIBLE  
22 PUNISHMENT DOES NOT EXCEED 93 DAYS IN JAIL OR A FINE, OR BOTH.  
23 HOWEVER, THE MAGISTRATE MAY HAVE THE JURISDICTION TO ARRAIGN  
24 DEFENDANTS AND SET BOND WITH REGARD TO VIOLATIONS OF SECTIONS 625  
25 AND 625M OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.625  
26 AND 257.625M, OR A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO

1 SECTION 625 OR 625M OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,  
2 MCL 257.625 AND 257.625M.

3 (C) ~~(b)~~ To issue warrants for the arrest of a person upon  
4 the written authorization of the prosecuting or municipal attor-  
5 ney, except written authorization shall not be required for a  
6 vehicle law or ordinance violation within the jurisdiction of the  
7 magistrate if a police officer issued a traffic citation pursuant  
8 to section 728 of the Michigan vehicle code, ~~Act No. 300 of the~~  
9 ~~Public Acts of 1949, being section 257.728 of the Michigan~~  
10 ~~Compiled Laws~~ 1949 PA 300, MCL 257.728, and the defendant failed  
11 to appear.

12 (D) ~~(c)~~ To fix bail and accept bond in all cases.

13 (E) ~~(d)~~ To issue search warrants, when authorized to do so  
14 by a district court judge.

15 Enacting section 1. This amendatory act takes effect  
16 October 1, 1999.

17 Enacting section 2. This amendatory act does not take  
18 effect unless all of the following bills of the 90th Legislature  
19 are enacted into law:

20 (a) Senate Bill No. 556.

21

22 (b) Senate Bill No. 559.

23

24 (c) Senate Bill No. 557.

25

26 (d) House Bill No. 4585.

27

1 (e) Senate Bill No. 560.

2

3 (f) House Bill No. 4580.

4

5 (g) House Bill No. 4583.

6

7 (h) House Bill No. 4584.

8

9 (i) House Bill No. 4581

10

11 (j) House Bill No. 4582.

12