

SENATE BILL NO. 694

October 30, 2025, Introduced by Senators MCBROOM, SINGH and WOJNO and referred to Committee on Elections and Ethics.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 550, 550a, 805, 8175, and 8176 (MCL 600.550,
600.550a, 600.805, 600.8175, and 600.8176), section 550 as amended
by 2009 PA 228, sections 550a and 8176 as amended by 2022 PA 7,
section 805 as amended by 2011 PA 300, and section 8175 as amended
by 1990 PA 54.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 550. (1) An additional circuit judgeship permitted by
2 this chapter ~~shall~~**is** not ~~be~~ authorized to be filled by election

1 unless each county in the circuit, by resolution adopted by the
 2 county board of commissioners, approves the creation of that
 3 judgeship and unless the clerk of each county adopting ~~such a~~ **that**
 4 resolution files a copy of the resolution with the state court
 5 administrator not later than 4 p.m. of the sixteenth Tuesday
 6 ~~preceding~~ **before** the ~~August~~ **May** primary for the election to fill
 7 the additional circuit judgeship. The state court administrator
 8 shall immediately notify the elections division of the department
 9 of state with respect to each new circuit judgeship authorized
 10 ~~pursuant to~~ **under** this subsection. If a circuit judgeship is
 11 permitted by law to be authorized without a resolution being
 12 adopted by the county board of commissioners, the state court
 13 administrator shall immediately notify the elections division of
 14 the department of state with respect to each new circuit judgeship
 15 authorized.

16 (2) A resolution required under subsection (1) that is filed
 17 before the effective date of the amendatory act that authorized
 18 that judgeship is a valid approval of the judgeship for purposes of
 19 this section only if the filing occurs within the 2-year state
 20 legislative session during which the amendatory act was enacted. A
 21 resolution required under subsection (1) that is filed after the
 22 effective date of the amendatory act that added that judgeship is a
 23 valid approval of the judgeship for purposes of this section only
 24 if the filing occurs not later than 4 p.m. of the sixteenth Tuesday
 25 ~~preceding~~ **before** the ~~August~~ **May** primary for the election
 26 immediately preceding the effective date of the additional
 27 judgeship.

28 (3) By permitting an additional judgeship, or by restoring a
 29 judgeship after a temporary reduction in judgeships as described in

subsection (5), the legislature is not creating that judgeship. If a county, acting through ~~its~~**the county's** board of commissioners, approves the creation of an additional circuit judgeship, 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 ~~which~~**that** may result from the creation of the judgeship. However, the exercise of the option does not affect ~~the~~**this** state's obligation to pay the same portion of the additional judge's salary ~~which~~**that** is paid by ~~the~~**this** state to the other judges of the same circuit, or to appropriate and disburse funds to the county for the necessary costs of state requirements established by a state law ~~which~~**that** becomes effective on or after December 23, 1978.

(4) Each additional circuit judgeship created ~~pursuant to~~**under** subsection (1) ~~shall~~**must** be filled by election ~~pursuant to~~**under** the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992. The first term of each additional circuit judgeship ~~shall be~~**is** 6 years, unless the law permitting the additional judgeship provides for a term of a different length.

(5) If, by law, the number of judgeships in a judicial circuit is temporarily reduced for a period of not more than 6 years and then restored to the number of judgeships that existed before the temporary reduction, the restored judgeship or judgeships are not considered additional circuit judgeships for purposes of this section, and a resolution of approval under subsection (1) is not required.

1 (6) A temporary reduction in the number of circuit judgeships
2 in a judicial circuit ~~shall~~**does** not take effect unless both of the
3 following occur:

4 (a) Each county in the circuit, by resolution adopted by the
5 county board of commissioners, supports the temporary reduction in
6 the number of judgeships.

7 (b) The clerk of each county adopting the resolution files a
8 copy of the resolution with the state court administrator not later
9 than 4 p.m. of the sixteenth Tuesday ~~preceding~~**before** the date on
10 which the ~~August~~**May** primary would have been held for the judgeship
11 that is being eliminated. A resolution required under subdivision

12 (a) that is filed before ~~the effective date of the amendatory act~~
13 ~~that added this subsection~~**January 5, 2010** is valid if the filing
14 occurs within the 2-year state legislative session during which the
15 amendatory act was enacted.

16 (7) The state court administrator shall immediately notify the
17 elections division of the department of state with respect to
18 either of the following:

19 (a) A temporary reduction in the number of judgeships in a
20 judicial circuit.

21 (b) The restoration of the number of judgeships in a judicial
22 circuit, after a temporary reduction in that number.

23 Sec. 550a. (1) Except as otherwise provided in this section,
24 if a new judicial circuit is proposed by law, that new circuit is
25 not created and any circuit judgeship proposed for the circuit is
26 not authorized or filled by election unless each county in the
27 proposed circuit, by resolution adopted by the county board of
28 commissioners, approves the creation of the new circuit and each
29 judgeship proposed for the circuit and unless the clerk of each

1 county adopting that resolution files a copy of the resolution with
2 the state court administrator not later than 4 p.m. of the
3 sixteenth Tuesday ~~preceding~~ **before** the ~~August~~ **May** primary
4 immediately following the effective date of the amendatory act
5 permitting the creation of the new circuit. The state court
6 administrator shall immediately notify the elections division of
7 the department of state with respect to each new judicial circuit
8 and circuit judgeship authorized under this subsection.

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

27 (3) Each circuit judgeship created under subsection (1) must
28 be filled by election under the Michigan election law, 1954 PA 116,
29 MCL 168.1 to 168.992. The first term of each circuit judgeship is 6

1 years, unless the law permitting the creation of the new circuit
2 and 1 or more judgeships provides for a term of a different length.

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

7 (5) The reformation of the twenty-seventh and fifty-first
8 judicial circuits under ~~the amendatory act that added this~~
9 ~~subsection~~ **2022 PA 7** does not require a resolution of approval by
10 the county board of commissioners under this section or section
11 550.

12 Sec. 805. (1) The additional judges of probate permitted by
13 section 803 ~~shall~~ **must** not be filled by election unless the county,
14 by resolution adopted by the county board of commissioners,
15 approves the creation of that judgeship and unless the clerk of
16 that county files a copy of the resolution with the state court
17 administrator not later than 4 p.m. of the thirteenth Tuesday
18 ~~preceding~~ **before** the ~~August~~ **May** primary for the election to fill
19 the additional judge of probate. The state court administrator
20 shall immediately notify the county clerk with respect to any new
21 judge of probate authorized for that county under this subsection.

22 (2) By permitting an additional judgeship, the legislature is
23 not creating that judgeship. If a county, acting through ~~its~~ **the**
24 **county's** board of commissioners, approves the creation of an
25 additional judge of probate, that approval constitutes an exercise
26 of the county's option to provide a new activity or service or to
27 increase the level of activity or service offered in the county
28 beyond that required by existing law, as the elements of that
29 option are defined by 1979 PA 101, MCL 21.231 to 21.244, and a

1 voluntary acceptance by the county of all expenses and capital
 2 improvements that may result from the creation of the judgeship.
 3 However, the exercise of the option does not affect ~~the~~**this**
 4 state's obligation to pay the same portion of the additional
 5 judge's salary that is paid by ~~the~~**this** state to the other judges
 6 of probate of the same county, or to appropriate and disburse funds
 7 to the county for the necessary costs of state requirements
 8 established by a state law that takes effect on or after December
 9 23, 1978.

10 (3) Each additional judgeship created under subsection (1)
 11 ~~shall~~**must** be filled by election under the Michigan election law,
 12 1954 PA 116, MCL 168.1 to 168.992. The first term of each
 13 additional judgeship ~~shall be~~**is** 6 years unless the law permitting
 14 the additional judgeship provides for a term of a different length.

15 (4) A combination of the office of probate judge with a
 16 judicial office of limited jurisdiction within a county under
 17 section 15 of article VI of the state constitution of 1963 that
 18 does not result in an increase in the total number of trial
 19 judgeships in the county does not require a resolution of approval
 20 by the county board of commissioners under this section.

21 Sec. 8175. (1) The additional district judgeships permitted by
 22 this chapter ~~shall~~**must** not be authorized to be filled by election
 23 unless each district control unit of the district, by resolution
 24 adopted by the governing body of the district control unit,
 25 approves the creation of that judgeship and unless the clerk of
 26 each district control unit adopting ~~such a~~**that** resolution files a
 27 copy of the resolution with the state court administrator not later
 28 than 4 p.m. of the sixteenth Tuesday ~~preceding~~**before** the ~~August~~
 29 **May** primary for the election to fill the additional district

1 judgeship. The state court administrator shall immediately notify
 2 the elections division of the department of state with respect to
 3 each new district judgeship authorized ~~pursuant to~~ **under** this
 4 subsection.

5 (2) A resolution required under subsection (1) that is filed
 6 before the effective date of the amendatory act that authorized
 7 that judgeship is a valid approval of the judgeship for purposes of
 8 this section only if the filing occurs within the 2-year state
 9 legislative session during which the amendatory act was enacted. A
 10 resolution required under subsection (1) that is filed after the
 11 effective date of the amendatory act that added that judgeship is a
 12 valid approval of the judgeship for purposes of this section only
 13 if the filing occurs not later than 4 p.m. of the sixteenth Tuesday
 14 ~~preceding before~~ the ~~August~~ **May** primary for the election
 15 immediately ~~preceding before~~ the effective date of the additional
 16 judgeship.

17 (3) By permitting an additional judgeship, the legislature is
 18 not creating that judgeship. If a district control unit, acting
 19 through ~~its~~ **the district control unit's** governing body, approves
 20 the creation of an additional district judgeship, that approval
 21 constitutes an exercise of the district control unit's option to
 22 provide a new activity or service or to increase the level of
 23 activity or service offered in the district control unit beyond
 24 that required by existing law, as the elements of that option are
 25 defined by ~~Act No. 101 of the Public Acts of 1979, being sections~~
 26 ~~21.231 to 21.244 of the Michigan Compiled Laws, 1979 PA 101, MCL~~
 27 **21.231 to 21.244**, and a voluntary acceptance by the district
 28 control unit of all expenses and capital improvements ~~which~~ **that**
 29 may result from the creation of the judgeship. However, the

1 exercise of the option does not affect ~~the~~**this** state's obligation
 2 to pay the same portion of the additional judge's salary ~~which~~**that**
 3 is paid by ~~the~~**this** state to the other district judges in the same
 4 district, or to appropriate and disburse funds to the district
 5 control unit for the necessary costs of state requirements
 6 established by a state law ~~which~~**that** becomes effective on or after
 7 December 23, 1978.

8 (4) Each additional district judgeship created ~~pursuant to~~
 9 **under** subsection (1) ~~shall~~**must** be filled by election ~~pursuant to~~
 10 **under** the Michigan election law, ~~Act No. 116 of the Public Acts of~~
 11 ~~1954, as amended, being sections 168.1 to 168.992 of the Michigan~~
 12 ~~Compiled Laws. 1954 PA 116, MCL 168.1 to 168.992.~~ The first term of
 13 each additional district judgeship ~~shall be~~**is** 6 years, unless the
 14 law permitting the additional judgeship provides for a term of a
 15 different length.

16 Sec. 8176. (1) Except as otherwise provided in this section,
 17 if a new district is proposed by law, that new district is not
 18 created and any district judgeship proposed for the district is not
 19 authorized or filled by election unless each district control unit
 20 in the proposed district, by resolution adopted by the governing
 21 body of the district control unit, approves the creation of the new
 22 district and each judgeship proposed for the district and unless
 23 the clerk of each district control unit adopting that resolution
 24 files a copy of the resolution with the state court administrator
 25 not later than 4 p.m. of the sixteenth Tuesday ~~preceding~~**before** the
 26 ~~August~~**May** primary for the election immediately ~~preceding~~**before**
 27 the effective date of the new district. The state court
 28 administrator shall immediately notify the elections division of
 29 the department of state with respect to each new judicial district

1 and district judgeship authorized under this subsection.

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

13 (3) By proposing a new district and 1 or more district
 14 judgeships for the district, the legislature is not creating that
 15 district or any judgeship in the district. If a district control
 16 unit, acting through ~~its~~ **the district control unit's** governing
 17 body, approves the creation of a new district and 1 or more
 18 district judgeships proposed by law for that district, that
 19 approval constitutes an exercise of the district control unit's
 20 option to provide a new activity or service or to increase the
 21 level of activity or service offered in the district control unit
 22 beyond that required by existing law, as the elements of that
 23 option are defined by 1979 PA 101, MCL 21.231 to 21.244, and a
 24 voluntary acceptance by the district control unit of all expenses
 25 and capital improvements ~~which-that~~ may result from the creation of
 26 the new district and each judgeship. However, the exercise of the
 27 option does not affect ~~the-this~~ state's obligation to pay the same
 28 portion of each judge's salary ~~which-that~~ is paid by ~~the-this~~ state
 29 to other district judges as provided by law, or to appropriate and

1 disburse funds to the district control unit for the necessary costs
2 of state requirements established by a state law that becomes
3 effective on or after December 23, 1978.

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

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

14 (6) The reformation of the seventy-eighth and seventy-ninth
15 judicial districts under ~~the amendatory act that added this~~
16 ~~subsection~~ **2022 PA 7** does not require the approval of the district
17 control unit under this section or section 8175.

18 Enacting section 1. This amendatory act takes effect January
19 1, 2027.

20 Enacting section 2. This amendatory act does not take effect
21 unless Senate Bill No. ____ (request no. S02806'25) of the 103rd
22 Legislature is enacted into law.