

Senate Fiscal Agency
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SFA



BILL ANALYSIS

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House Bills 5485 through 5491 (as reported without amendment)
House Bill 5492 (Substitute H-2 as reported without amendment)
House Bills 5493 through 5497 (as reported without amendment)
House Bill 5498 (Substitute S-1 as reported)
Sponsor: Representative Andrew Richner (House Bills 5485 & 5497)
Representative Marc Shulman (House Bills 5486 & 5498)
Representative Jack Minore (House Bill 5487)
Representative Gerald Law (House Bill 5488)
Representative Triette Reeves (House Bill 5489)
Representative Joanne Voorhees (House Bill 5490)
Representative Doug Hart (House Bill 5491)
Representative Alan Sanborn (House Bills 5492 & 5493)
Representative Gloria Schermesser (House Bill 5494)
Representative Michael Switalski (House Bill 5495)
Representative James Koetje (House Bill 5496)

House Committee: Family and Civil Law

Senate Committee: Families, Mental Health and Human Services

CONTENT

House Bills 5485 through 5496 would amend various Acts to replace references to the Revised Probate Code with references to the Estates and Protected Individuals Code (EPIC), which was enacted in 1998 and will take effect on April 1, 2000, and to remove certain provisions that would conflict with EPIC.

House Bill 5485 would amend the Probate Code. House Bill 5486 would amend the Revised Judicature Act. House Bill 5487 would amend the Mental Health Code. House Bill 5488 would amend the Public Health Code. House Bill 5489 would amend the Michigan Do-Not-Resuscitate Procedure Act. House Bill 5490 would amend the Child Custody Act. House Bill 5491 would amend the Social Welfare Act. House Bill 5492 (H-2) would amend the Banking Code. House Bill 5493 would amend the Savings Bank Act. House Bill 5494 would amend the Michigan Vehicle Code. House Bill 5495 would amend the Natural Resources and Environmental Protection Act. House Bill 5496 would amend the Michigan Penal Code.

House Bill 5497 would amend the Revised Judicature Act to authorize a probate register or deputy probate register to perform an act or issue an order as specified in EPIC, if the Code authorized the probate register to do so.

House Bill 5498 (S-1) would amend the Powers of Appointment Act to replace a reference to the Probate Code of 1939 with a reference to EPIC, and to delete a provision that, if a deed, will, trust agreement, or other writing or document that creates or reserves power of appointment, explicitly directs that an instrument must contain a specific reference to that power in order to be valid, an instrument without that reference does not validly exercise the power of appointment.

All of the bills would take effect on April 1, 2000.

MCL 710.23e et al. (H.B. 5485)
600.816 et al. (H.B. 5486)
330.1498h et al. (H.B. 5487)
333.1106 et al. (H.B. 5488)
333.1052 (H.B. 5489)

Legislative Analyst: P. Affholter

722.26b (H.B. 5490)
400.11b & 400.115j (H.B. 5491)
487.14402 (H.B. 5492)
487.3422 (H.B. 5493)
257.236 (H.B. 5494)
324.20101b & 324.80312 (H.B. 5495)
750.145n (H.B. 5496)
600.834 (H.B. 5497)
556.114 & 556.130 (H.B. 5498)

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 3-16-00

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.