



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 461 (Substitute S-2 as reported)
Sponsor: Senator Tonya Schuitmaker
Committee: Families, Seniors, and Human Services

CONTENT

The bill would amend the Estates and Protected Individuals Code to do the following:

- Prevent a person from benefiting from the estate of a decedent if the person were convicted of abuse, neglect, or exploitation with respect to the decedent.
- List the rights of an incapacitated individual for whom a guardian was appointed.
- Require an incapacitated individual to be informed of his or her rights in writing.
- Provide that the guardian of an incapacitated person would have the specified powers and duties to the extent granted by court order.
- Allow an incapacitated person to handle his or her property or money without the supervision or consent of his or her guardian or conservator, except to the extent a court granted power to the guardian or conservator.
- Provide that a court would have to require a conservator to furnish a bond if the cash and property readily convertible into cash in an individual's estate exceeded the limit for distribution of a small estate, subject to certain exceptions.
- Prohibit a conservator from mortgaging, pledging, or causing a lien to be placed on an individual's real property without court approval.

The bill would take effect on April 1, 2012.

MCL 700.2802 et al.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have an indeterminate, but likely negligible, fiscal impact on State and local government. To the extent that the bill increased the administrative workload of various courts, local jurisdictions could incur additional costs.

Date Completed: 10-19-11

Fiscal Analyst: Matthew Grabowski