

HOUSE BILL No. 5546

April 13, 2016, Introduced by Rep. Somerville and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
 "Revised judicature act of 1961,"
 by amending section 5801 (MCL 600.5801).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5801. ~~No~~**A** person may **NOT** bring or maintain ~~any~~**AN** action
 2 for the recovery or possession of ~~any lands~~**REAL PROPERTY** or make
 3 ~~any~~**AN** entry ~~upon any lands~~**ON REAL PROPERTY** unless, after the
 4 claim or right to make the entry first ~~accrued~~**ACCRUES** to ~~himself~~
 5 **THE PERSON** or to someone through whom ~~he~~**THE PERSON** claims, ~~he~~**THE**
 6 **PERSON** commences the action or makes the entry within **WHICHEVER OF**
 7 the **FOLLOWING** periods of ~~time prescribed by this section~~**LIMITATION**
 8 **IS APPLICABLE:**

9 **(A)** ~~(1) When~~**IF** the defendant claims title to the land ~~in~~
 10 ~~question~~**REAL PROPERTY** by or through ~~some~~**A** deed made ~~upon~~**ON** the

1 sale of the ~~premises~~ **PROPERTY** by an ~~executor, administrator, A~~
 2 **PERSONAL REPRESENTATIVE**, guardian, **CONSERVATOR**, or testamentary
 3 trustee; ~~or~~ by a sheriff or other proper ministerial officer under
 4 ~~the~~ **AN** order, judgment, **OR** process ~~, or decree~~ of a court or legal
 5 tribunal of competent jurisdiction ~~within~~ **IN** this state; ~~, or~~ by a
 6 sheriff ~~upon~~ **ON** a mortgage foreclosure sale, the period of
 7 limitation is 5 years.

8 (B) ~~(2) When~~ **IF** the defendant claims title under ~~some~~ **A** deed
 9 made by an officer of this state or of the United States who is
 10 authorized to make deeds ~~upon~~ **ON** the sale of ~~lands~~ **REAL PROPERTY**
 11 for taxes assessed and levied ~~within~~ **IN** this state, the period of
 12 limitation is 10 years.

13 (C) ~~(3) When~~ **IF** the defendant claims title through a devise in
 14 ~~any~~ **A** will, the period of limitation is 15 years after the probate
 15 of the will in this state.

16 (D) **IF THE DEFENDANT ASSERTS A CLAIM TO THE PROPERTY BASED ON**
 17 **ADVERSE POSSESSION OR ACQUIESCENCE, THE PERIOD OF LIMITATION IS 30**
 18 **YEARS.**

19 (E) ~~(4) In all other cases under this section,~~ **IF SUBDIVISIONS**
 20 **(A) TO (D) DO NOT APPLY**, the period of limitation is 15 years.

21 Enacting section 1. This amendatory act takes effect 90 days
 22 after the date it is enacted into law.