

Act No. 20
Public Acts of 2024
Approved by the Governor
March 28, 2024
Filed with the Secretary of State
March 28, 2024
EFFECTIVE DATE: March 28, 2024

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2024**

Introduced by Senator Moss

ENROLLED SENATE BILL No. 721

AN ACT to amend 1945 PA 200, entitled “An act to define a marketable record title to an interest in land; to require the filing of notices of claim of interest in such land in certain cases within a definite period of time and to require the recording thereof; to make invalid and of no force or effect all claims with respect to the land affected thereby where no such notices of claim of interest are filed within the required period; to provide for certain penalties for filing slanderous notices of claim of interest, and to provide certain exceptions to the applicability and operation thereof,” by amending sections 1 and 3 (MCL 565.101 and 565.103), section 1 as amended by 2018 PA 572 and section 3 as amended by 2020 PA 294.

The People of the State of Michigan enact:

Sec. 1. Any person, that has the legal capacity to own land in this state, that has an unbroken chain of title of record to any interest in land for 20 years for mineral interests and 40 years for other interests, is at the end of the applicable period considered to have a marketable record title to that interest, subject only to claims to that interest and defects of title that are not extinguished or barred by the application of this act and subject also to any interests and defects that are inherent in the provisions and limitations contained in the muniments of which the chain of record title is formed and that are recorded on or before September 29, 2025 or during the 20-year period for mineral interests and the 40-year period for other interests. However, a person is not considered to have a marketable record title under this act if the land in which the interest exists is in the hostile possession of another.

Sec. 3. (1) Marketable title is held by a person and is taken by the person’s successors in interest free and clear of any and all interests, claims, and charges the existence of which depends in whole or in part on any act, transaction, event, or omission that occurred before the 20-year period for mineral interests, and the 40-year period for other interests, and all such interests, claims, and charges are void and of no effect at law or in equity. However, an interest, claim, or charge may be preserved and kept effective by filing for record on or before September 29, 2025 or during the 20-year period for mineral interests and the 40-year period for other interests, a notice in writing, verified by oath, setting forth the nature of the claim in the manner required by section 5.

(2) A disability or lack of knowledge of any kind on the part of anyone does not suspend the running of the 20-year period for mineral interests or the 40-year period for other interests.

(3) For the purpose of recording notices of claim for homestead interests, the date from which the 20-year period for mineral interests and the 40-year period for other interests run is the date of recording of the instrument that contains the basis for the claim.

(4) A notice under this section may be filed for record by the claimant or by any other person acting on behalf of any claimant if 1 or more of the following conditions exist:

(a) The claimant is under a disability.

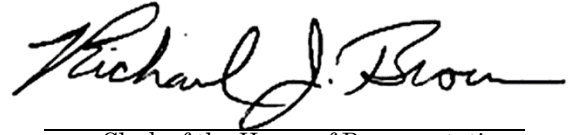
(b) The claimant is unable to assert a claim on the claimant’s own behalf.

(c) The claimant is 1 of a class but whose identity cannot be established or is uncertain at the time of filing the notice of claim for record.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor