



## Report on Public Policy Position

**Name of Section:**

Family Law Section

**Contact Person:**

Kent Weichmann

**Email:**

weichmann@earthlink.net

**Bill Number:**

**SB 1343** (Switalski) Probate; other; dower rights; abolish. Amends sec. 1 of 1846 RS 66 (MCL 558.1) & repeals secs. 2 to 29 of 1846 RS 66 (MCL 558.2 - 558.29) & secs. 2931 & 2933 of 1961 PA 236 (MCL 600.2931 & 600.2933). TIE BAR WITH: SB 1342'06SB 1344'06

**SB 1344** (Switalski) Family law; marriage and divorce; requirement that judgment of divorce contain provisions regarding wife's dower rights; eliminate. Amends sec. 1 of 1909 PA 259 (MCL 552.101). TIE BAR WITH: SB 1343'06

**Date position was adopted:**

November 4, 2006

**Process used to take the ideological position:**

Vote of Council members at the meeting

**Number of members in the decision-making body:**

21

**Number who voted in favor and opposed to the position:**

11-2

**Position:**

The Family Law Section opposes SB 1343 and 1344, which seek to abolish various aspects of dower. The Council finds that dower fills a useful purpose by requiring that a spouse have notice of any real estate transactions by the other spouse. This prevents fraud and dissipation of crucial marital assets. The Council supports the idea of making dower gender neutral. The Council opposes these bills, and suggests that the sponsors seek to make dower gender neutral.

**The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:**

<http://legislature.mi.gov/doc.aspx?2006-SB-1343>

<http://legislature.mi.gov/doc.aspx?2006-SB-1344>

