

Report on Public Policy Position

Name of section:

Elder Law & Disability Rights Section

Contact person:

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Bill Number:

[HB 4180](#) (Wenke) Probate; powers of attorney; uniform power of attorney act; enact. Creates new act & repeals secs. 5501 - 5505 of [1998 PA 386](#) (MCL [700.5501](#) - [700.5505](#)).

Date position was adopted:

May 22, 2008

Process used to take the ideological position:

Position adopted after an electronic discussion and vote.

Number of members in the decision-making body:

20

Number who voted in favor and opposed to the position:

15 Voted for position

0 Voted against position

1 Abstained from vote

4 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

HB 4180 would enact a uniform power of attorney act. The ELDR Section Council opposes the legislation because it believes that the positive changes to existing law contained in the legislation are significantly outweighed by provisions that are problematic and likely to create more problems than they solve. The Council believes that any proposed legislation affecting powers of attorneys should await the recommendations of the Probate and Estate Planning Section's committee that has undertaken a comprehensive review of the Uniform Power of Attorney Act.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2007-HB-4180>