



## Report on Public Policy Position

**Name of Section:**

Probate and Estate Planning

**Contact Person:**

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**Bill Number:**

HB 6153 (Dillon) Businesses; charitable organizations; determining charitable intent of donors to charitable trusts; revise. Amends sec. 4 of 1961 PA 101 (MCL 14.254).

**Date position was adopted:**

June 17, 2006

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

Voice vote

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

23 - 16 participated

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

16 in favor

0 opposed

**FOR SECTIONS ONLY:**

- ✓ This subject matter of this position is within the jurisdiction of the section.
- ✓ The position was adopted in accordance with the Section's bylaws.
- ✓ The requirements of SBM Bylaw Article VIII have been satisfied.

*If the boxes above are checked, SBM will notify the Section when this notice is received, at which time the Section may advocate the position.*

**Position:**

The Council of the Probate and Estate Planning Section recognizes that:

- Charitable organizations and foundations play an important role in the quality of life of Michigan.
- Michigan residents, families, businesses and foundations have shown historic generosity in supporting charitable causes as those causes evolve throughout the state, the nation and the world
- It is important to encourage charities and foundations to be established in and remain within Michigan.

- There is a need for laws and regulation that ensure charitable resources support the public good.

The Council of the Probate and Estate Planning Section resolves:

- To support legislation and regulation that encourage philanthropy and charitable giving.

- To support legislation and regulation that provide donors, charitable organizations and foundations the flexibility to respond to ever changing charitable needs and seize opportunities for the benefit of the public in Michigan, the nation and the world.

- To oppose legislation and regulation that determines donor intent or limits the flexibility granted by donors when making charitable gifts and in establishing, or during their involvement with, charitable organizations and foundations.

Therefore, the Council of the Probate and Estate Planning Section opposes HB 6153 and any other legislation that may unilaterally determine donor intent. The Council of the Probate and Estate Planning Section welcomes the opportunity to work with members of the Michigan legislature, policymakers, the Council of Michigan Foundations, the Council on Foundations and others in any efforts to encourage the continuation and growth of the generosity of the people of the State of Michigan.

**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-HB-6153>