

Report on Public Policy Position

Name of section:

Probate & Estate Planning Section

Contact person:

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Bill number:

[HB 4602](#) (Schuitmaker) Probate; trusts; statutory rule against perpetuities; limit application to real property. Amends title & secs. 1, 2 & 5 of [1988 PA 418](#) (MCL [554.71](#) et seq.).

[HB 5909](#) (Meisner) Probate; trusts; personal property trust perpetuities act; create. Creates new act.

Date position was adopted:

April 19, 2008

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

23

Number who voted in favor and opposed to the position:

19 Voted for position

0 Voted against position

1 Abstained from vote

3 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

The Council voted to support the legislation as drafted. The Council also makes the recommendation that the repeal of the Rules Against Perpetuities be extended to real property but recognizes that additional changes in other laws would be required to extend the repeal to real property.

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-4602>

<http://legislature.mi.gov/doc.aspx?2008-HB-5909>