

**Report on Public Policy Position****Name of section:**

Probate &amp; Estate Planning Section

**Contact person:**

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**Bill number:**

[HB 6539](#) (Schuitmaker) Probate; trusts; personal property trust perpetuities act; revise to include real property. Amends title & secs. 1, 2, 3 & 4 of [2008 PA 148](#) (MCL [554.91](#) et seq.).

[HB 6540](#) (Condino) Probate; trusts; reference to personal property trust perpetuities act in uniform statutory rule against perpetuities; revise to reflect change in short title, and extend effect of that act to real property. Amends sec. 5 of [1988 PA 418](#) (MCL [554.75](#)).

**Date position was adopted:**

December 13, 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:**

13 Voted for position

0 Voted against position

10 Did not vote

**Position:**

Support

**Explanation of the position, including any recommended amendments:**

The Section supports the parity between real property and personal property as is accomplished in the bills. The Section also supports the addition of the language concerning "special appointee" trusts in Section 4 of HB 6539.

**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?2008-HB-6539>

<http://legislature.mi.gov/doc.aspx?2008-HB-6540>