

Report on Public Policy Position

Name of section:

Probate & Estate Planning Section

Contact person:

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Bill number:

[HB 5196](#) (Switalski) 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:

December 12, 2009

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:

Oppose

Explanation of the position, including any recommended amendments:

H.B. 5196 would enact a power of attorney act. It is based on an outdated version of the Uniform Power of Attorney Act and is substantially the same as HB 4180 that was introduced in the 2007-08 legislative session and was opposed by the Section for a variety of reasons. The Council of the Section has also directed its Power of Attorney Act Committee to commence preparation of a proposed Power of Attorney Act based in part on 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?2009-HB-5196>