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Senate Bill 270 (as reported without amendment)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend Article 5 (Protection of an Individual under Disability and His or Her Property) of the Estates and Protected Individuals Code to specify that the probate court would have jurisdiction over the appointment of a guardian under Part 3, and over the appointment of a conservator or the issuance of a protective order in relation to an individual's estate and affairs under Part 4, if the individual for whom a guardian, conservator, or protective order was sought lived in Michigan or were present in and had a significant connection to Michigan. (Part 3 of Article 5 deals with guardians of incapacitated individuals. Part 4 of Article 5 deals with the protection of property of an individual under disability or of a minor.)

In determining if the individual had a significant connection to Michigan, the court would have to consider all of the following factors:

- The individual's wishes.
- The locations of the individual's family and other interested persons.
- The length and time the individual was present in Michigan, and the duration of any absence.
- The location of the individual's property.
- The extent to which the individual had ties to Michigan, such as voting registration, State tax return filing, vehicle registration, driver license, social relationships, and receipt of services.
- Any other factor the court considered relevant.

The bill would take effect 90 days after its enactment.

Proposed MCL 700.5301b & 700.5402a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 4-29-15

Fiscal Analyst: John Maxwell

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.