

SENATE BILL No. 270

April 15, 2015, Introduced by Senators JONES, SCHUITMAKER, HORN and HOPGOOD and referred to the Committee on Judiciary.

A bill to amend 1998 PA 386, entitled
"Estates and protected individuals code,"
(MCL 700.1101 to 700.8206) by adding sections 5301b and 5402a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 5301B. (1) THE COURT HAS JURISDICTION OVER THE**
2 **APPOINTMENT OF A GUARDIAN UNDER THIS PART IF ANY OF THE FOLLOWING**
3 **APPLY:**

4 **(A) THE INDIVIDUAL FOR WHOM A GUARDIAN IS SOUGHT RESIDES IN**
5 **THIS STATE.**

6 **(B) THE INDIVIDUAL FOR WHOM A GUARDIAN IS SOUGHT IS PRESENT IN**
7 **THIS STATE AND HAS A SIGNIFICANT CONNECTION TO THIS STATE.**

8 **(2) IN DETERMINING IF THE INDIVIDUAL FOR WHOM A GUARDIAN IS**
9 **SOUGHT HAS A SIGNIFICANT CONNECTION TO THIS STATE UNDER SUBSECTION**
10 **(1) (B), THE COURT SHALL CONSIDER ALL OF THE FOLLOWING FACTORS:**

11 **(A) THE WISHES OF THE INDIVIDUAL.**

1 (B) THE LOCATION OF THE INDIVIDUAL'S FAMILY AND OTHER
2 INTERESTED PERSONS.

3 (C) THE LENGTH AND TIME THE INDIVIDUAL WAS PRESENT IN THIS
4 STATE AND THE DURATION OF ANY ABSENCE.

5 (D) THE LOCATION OF THE INDIVIDUAL'S PROPERTY.

6 (E) THE EXTENT TO WHICH THE INDIVIDUAL HAS TIES TO THIS STATE,
7 SUCH AS VOTING REGISTRATION, STATE TAX RETURN FILING, VEHICLE
8 REGISTRATION, DRIVER LICENSE, SOCIAL RELATIONSHIP, AND RECEIPT OF
9 SERVICES.

10 (F) ANY OTHER FACTOR THE COURT CONSIDERS RELEVANT.

11 SEC. 5402A. (1) THE COURT HAS JURISDICTION OVER THE
12 APPOINTMENT OF A CONSERVATOR OR THE ISSUANCE OF A PROTECTIVE ORDER
13 IN RELATION TO AN INDIVIDUAL'S ESTATE AND AFFAIRS UNDER THIS PART
14 IF ANY OF THE FOLLOWING APPLY:

15 (A) THE INDIVIDUAL FOR WHOM A CONSERVATOR OR PROTECTIVE ORDER
16 IS SOUGHT RESIDES IN THIS STATE.

17 (B) THE INDIVIDUAL FOR WHOM A CONSERVATOR OR PROTECTIVE ORDER
18 IS SOUGHT IS PRESENT IN THIS STATE AND HAS A SIGNIFICANT CONNECTION
19 TO THIS STATE.

20 (2) IN DETERMINING IF THE INDIVIDUAL FOR WHOM A CONSERVATOR OR
21 PROTECTIVE ORDER IS SOUGHT HAS A SIGNIFICANT CONNECTION TO THIS
22 STATE UNDER SUBSECTION (1) (B), THE COURT SHALL CONSIDER ALL OF THE
23 FOLLOWING FACTORS:

24 (A) THE WISHES OF THE INDIVIDUAL.

25 (B) THE LOCATION OF THE INDIVIDUAL'S FAMILY AND OTHER
26 INTERESTED PERSONS.

27 (C) THE LENGTH AND TIME THE INDIVIDUAL WAS PRESENT IN THIS

1 STATE AND THE DURATION OF ANY ABSENCE.

2 (D) THE LOCATION OF THE INDIVIDUAL'S PROPERTY.

3 (E) THE EXTENT TO WHICH THE INDIVIDUAL HAS TIES TO THIS STATE,
4 SUCH AS VOTING REGISTRATION, STATE TAX RETURN FILING, VEHICLE
5 REGISTRATION, DRIVER LICENSE, SOCIAL RELATIONSHIP, AND RECEIPT OF
6 SERVICES.

7 (F) ANY OTHER FACTOR THE COURT CONSIDERS RELEVANT.

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.