

HOUSE BILL No. 5288

February 2, 2016, Introduced by Reps. Wittenberg, Maturen, Barrett, Glenn, Greig, Franz, Cox, Moss, Chirkun, Graves, Faris, Heise, Plawecki, Liberati, Hughes, Vaupel, Jenkins, Potvin, Outman, Callton, Canfield, Rutledge, Bizon, Irwin and Santana and referred to the Committee on Government Operations.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 947a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 947A. (1) IF A MILITARY SPOUSE WHO MEETS THE REQUIREMENTS
2 OF SECTION 947 IS ADMITTED TO THE BAR OF THIS STATE, AND IS NOT
3 SUBJECT TO DISCIPLINE, SUSPENSION, OR DISBARMENT FOR MISCONDUCT
4 UNDER SECTION 904, HIS OR HER ADMISSION TO THE BAR OF THIS STATE IS
5 VALID UNTIL THE DATE THE BOARD OF LAW EXAMINERS RECEIVES A NOTICE
6 UNDER SUBSECTION (2).

7 (2) A MILITARY SPOUSE DESCRIBED IN SECTION 947 WHO IS ADMITTED
8 TO THE BAR OF THIS STATE SHALL NOTIFY THE BOARD OF LAW EXAMINERS IN
9 WRITING IF ANY OF THE FOLLOWING EVENTS OCCUR:

10 (A) THE SERVICE MEMBER TO WHOM THE MILITARY SPOUSE IS MARRIED

1 IS NO LONGER AN ACTIVE DUTY MEMBER OF THE ARMED FORCES.

2 (B) THE MILITARY SPOUSE AND SERVICE MEMBER ARE NO LONGER
3 MARRIED.

4 (C) THE SERVICE MEMBER RECEIVES A PERMANENT TRANSFER TO A DUTY
5 STATION OUTSIDE OF THIS STATE. HOWEVER, IF THE SERVICE MEMBER
6 RECEIVES AN UNACCOMPANIED OR REMOTE ASSIGNMENT WITH NO DEPENDENTS
7 AUTHORIZED, THE MILITARY SPOUSE MAY CONTINUE TO PRACTICE LAW IN
8 THIS STATE UNTIL THE SERVICE MEMBER IS SUBSEQUENTLY ASSIGNED TO A
9 DUTY STATION AT WHICH DEPENDENTS ARE AUTHORIZED, AND THE MILITARY
10 SPOUSE SHALL NOTIFY THE BOARD WHEN THAT SUBSEQUENT ASSIGNMENT
11 OCCURS.

12 (3) A MILITARY SPOUSE ATTORNEY MUST PROVIDE A NOTICE TO THE
13 BOARD OF LAW EXAMINERS REQUIRED UNDER SUBSECTION (2) WITHIN 30 DAYS
14 AFTER AN EVENT DESCRIBED IN SUBSECTION (2) FIRST OCCURS. HOWEVER,
15 IF THE OCCURRENCE OF THAT EVENT IS DUE TO THE DEATH OR DISABILITY
16 OF THE SERVICE MEMBER, THE MILITARY SPOUSE ATTORNEY MUST PROVIDE
17 THE NOTICE WITHIN 180 DAYS OF THE DEATH OR DISABILITY OF THE
18 SERVICE MEMBER.

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

21 Enacting section 2. This amendatory act does not take effect
22 unless Senate Bill No. ____ or House Bill No. 5289 (request no.
23 02306'15) of the 98th Legislature is enacted into law.