

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.