

Act No. 498
Public Acts of 2016
Approved by the Governor
January 5, 2017
Filed with the Secretary of State
January 6, 2017
EFFECTIVE DATE: April 6, 2017

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Senators Jones, Schuitmaker, Horn and Hopgood

ENROLLED SENATE BILL No. 270

AN ACT to amend 1998 PA 386, entitled “An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,” (MCL 700.1101 to 700.8206) by adding sections 5301b and 5402a.

The People of the State of Michigan enact:

Sec. 5301b. (1) The court has jurisdiction over the appointment of a guardian under this part if any of the following apply:

- (a) The individual for whom a guardian is sought resides in this state.
- (b) The individual for whom a guardian is sought is present in this state and has a significant connection to this state.
- (2) In determining if the individual for whom a guardian is sought has a significant connection to this state under subsection (1)(b), the court shall consider all of the following factors:
 - (a) The wishes of the individual.
 - (b) The location of the individual’s family and other interested persons.
 - (c) The length and time the individual was present in this state and the duration of any absence.
 - (d) The location of the individual’s property.
 - (e) The extent to which the individual has ties to this state, such as voting registration, state tax return filing, vehicle registration, driver license, social relationship, and receipt of services.
 - (f) Any other factor the court considers relevant.

Sec. 5402a. (1) The court has jurisdiction over the appointment of a conservator or the issuance of a protective order in relation to an individual’s estate and affairs under this part if any of the following apply:

- (a) The individual for whom a conservator or protective order is sought resides in this state.
- (b) The individual for whom a conservator or protective order is sought is present in this state and has a significant connection to this state.
- (2) In determining if the individual for whom a conservator or protective order is sought has a significant connection to this state under subsection (1)(b), the court shall consider all of the following factors:
 - (a) The wishes of the individual.
 - (b) The location of the individual’s family and other interested persons.

(c) The length and time the individual was present in this state and the duration of any absence.

(d) The location of the individual's property.

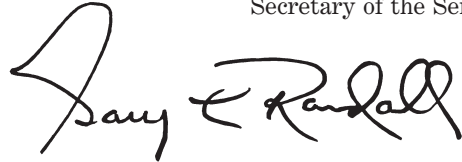
(e) The extent to which the individual has ties to this state, such as voting registration, state tax return filing, vehicle registration, driver license, social relationship, and receipt of services.

(f) Any other factor the court considers relevant.

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



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor