



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4532 (Substitute H-1 as passed by the House)
Sponsor: Representative Mary Whiteford
House Committee: Financial Services
Senate Committee: Judiciary

Date Completed: 6-5-17

CONTENT

The bill would amend Public Act 79 of 1915, which requires written instruments conveying or mortgaging interests in real estate to indicate the parties' marital status, to limit the Act's requirements to instruments offered for record before April 6, 2017.

Under the Act, all instruments conveying or mortgaging real estate or any interest in real estate executed must state whether any male grantors, mortgagors, or other parties executing the instrument are married or single, and the register of deeds of the county in which an instrument is offered for record must refuse to record it unless the instrument conforms to the Act.

Also, if an instrument has been recorded in the office of a register of deeds without the statement of marital status, and 10 years have passed since the recording, the record of the instrument or a transcript of it may be given in evidence in all cases, is effective for all purposes of a legal record, and must be construed to be as valid and effectual as if it had contained the required statement.

Under the bill, these provisions would apply to instruments offered for record before April 6, 2017.

MCL 565.221

Legislative Analyst: Jeff Mann

FISCAL IMPACT

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

Fiscal Analyst: Elizabeth Pratt

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