

Act No. 54
Public Acts of 2017
Approved by the Governor
June 15, 2017
Filed with the Secretary of State
June 15, 2017
EFFECTIVE DATE: June 15, 2017

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

Introduced by Rep. Whiteford

ENROLLED HOUSE BILL No. 4532

AN ACT to amend 1915 PA 79, entitled “An act to provide certain requirements in written instruments conveying or mortgaging real estate or any interest therein in which there are male grantors, mortgagors or other parties executing the same to entitle the same to record,” by amending section 1 (MCL 565.221), as amended by 1980 PA 489.

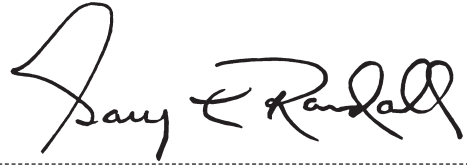
The People of the State of Michigan enact:

Sec. 1. (1) All written instruments conveying or mortgaging real estate or any interest in real estate executed and offered for record before April 6, 2017 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 the instrument is offered for record shall refuse to receive the instrument for record unless it conforms to this act.

(2) If an instrument has been recorded in the office of a register of deeds without the instrument showing the marital status as required by this section, an affidavit stating the facts, executed in conformity with 1915 PA 123, MCL 565.451a to 565.453, may be recorded in the register’s office. Upon the recording of the affidavit showing the marital status of the male grantor, mortgagor, or party executing, on the date of the instrument, the record of the affidavit and the record of the instrument are effectual for all purposes as a legal record, and the record of the instrument and affidavit or a transcript of them may be given in evidence in all cases, and the instrument must be construed to be as valid and effectual as if it had contained a statement showing the marital status of the male individual or individuals executing it.

(3) If an instrument offered for record before April 6, 2017 has been recorded in the office of a register of deeds without the instrument showing the marital status as required under this section, and 10 years has elapsed since the recording, the record of the instrument or a transcript of it may be given in evidence in all cases and is effectual for all purposes as a legal record and the instrument must be construed to be as valid and effectual as if it had contained a statement showing the marital status of the male individual or individuals executing it.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor