

# Legislative Analysis



## CLARIFY PRIORITY OF APPOINTMENT FOR PERSONAL REPRESENTATIVE

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<http://www.house.mi.gov/hfa>

**House Bill 5103 as introduced**  
**Sponsor: Rep. Rodney Wakeman**  
**Committee: Judiciary**  
**Complete to 11-4-19**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5103 would amend the Estates and Protected Individuals Code (EPIC) to clarify the priority among persons seeking appointment as a *general personal representative*.

Currently under EPIC, certain qualifications, conditions, and relationships to a decedent are given priority when selecting a *personal representative*. However, they do not apply to the selection of a *special personal representative*.

The bill would clarify that the priority qualifications and conditions in sections 3203 and 3204 of the act apply for appointment of a *general personal representative* or *successor personal representative*, but not a *special personal representative*.

As defined in EPIC, *personal representative* includes an executor, administrator, successor personal representative, and special personal representative, and any other person, other than a trustee of a trust subject to article VII of the act, who performs substantially the same function under the law governing that person's status.

*General personal representative* means a personal representative other than a special representative.

*Special personal representative* means a personal representative as described in sections 3614 to 3618 of the act.

*Successor personal representative* means a personal representative, other than a special personal representative, who is appointed to succeed a previously appointed personal representative.

MCL 700.3203 and 700.3204

### FISCAL IMPACT:

House Bill 5103 will have no fiscal impact on the state or on local units of government.

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