

# HOUSE BILL NO. 5229

July 01, 2021, Introduced by Rep. Rabhi and referred to the Committee on Government Operations.

A bill to amend 1941 PA 178, entitled

"An act defining the rights of cotenants, joint owners, tenants in common and coparceners in lands; to provide for the development and operation of such lands for oil and gas mining purposes; to grant jurisdiction to the circuit court to authorize the exploration, development and operation of such lands for oil and gas mining purposes; to determine and quiet the title to said lands and to repeal all acts in conflict herewith,"

by amending section 4 (MCL 319.104).

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**       Sec. 4. Executors, administrators, and administrators with

1 will annexed, receivers, and trustees ~~may~~ institute or defend  
 2 ~~such~~ suits **provided for by this act** on behalf of their respective  
 3 estates and trusts and the heirs, devisees, legatees, successors,  
 4 and assigns thereof. **of those estates and trusts.** Infants and  
 5 persons under legal disability may institute or defend suits by  
 6 guardian or next of friend. Every person, including ~~wives~~ **spouses**  
 7 of owners, having any interest in ~~such~~ lands **described in this act,**  
 8 whether in possession or otherwise, who is not a ~~party~~ plaintiff,  
 9 ~~shall~~ **must** be made a ~~party~~ defendant to ~~such~~ **that** suit. ~~In case of~~  
 10 **If the names of** persons interested in ~~such~~ **those** lands ~~whose names~~  
 11 are unknown, the bill of complaint ~~shall~~ **must** so state, and ~~such~~  
 12 **those** persons may be made parties to ~~such~~ **the** suits by the name and  
 13 description of "unknown ~~owners.~~ **owners**".

14 Enacting section 1. This amendatory act does not take effect  
 15 unless Senate Joint Resolution \_\_\_\_ or House Joint Resolution \_\_\_\_  
 16 (request no. 02344'21) of the 101st Legislature becomes a part of  
 17 the state constitution of 1963 as provided in section 1 of article  
 18 XII of the state constitution of 1963.