PAYMENT OF DEPOSITS

Act 248 of 1909

AN ACT in relation to the payment of deposits of money in banks and trust companies by minors, trust deposits, and deposits in the names of more than 1 person.

History: 1909, Act 248, Eff. Sept. 1, 1909

The People of the State of Michigan enact:

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487.701 Minor's deposit; payment; receipt or acquittance sufficient.

Sec. 1.

When any deposit of money shall be made in any bank or trust company by or in the name of any minor, the same shall be held for the exclusive right and benefit of such minor, and shall be paid, together with the dividends and interest thereon to the person in whose name the deposit shall have been made, and the receipt or acquittance of such minor shall be a valid and sufficient release and discharge for such deposit, or any part thereof to the corporation.

History: 1909, Act 248, Eff. Sept. 1, 1909 ;-- CL 1915, 8038 ;-- CL 1929, 12061 ;-- CL 1948, 487.701

487.702 Trust deposit; death of trustees; payment of deposit; receipt or acquittance as release and discharge.

Sec. 2.

(1) If a deposit of money shall be made in a bank or trust company by a person in trust for another, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to the bank, if the trustee dies, or if there is more than 1 trustee, all of the trustees have died, the deposited money, together with the dividends or interest on the money, shall be paid to the person for whom the deposit was made.

(2) If the balance of the deposit exceeds $5,000.00 and the person to whom the payment is to be made is under the age of 18 years, the deposit shall be paid only to his or her legally appointed guardian.

(3) If the balance of the deposit is less than $5,000.00 and the person to whom the payment is to be made is under the age of 18 years, the deposit shall be paid to the minor if the minor is married, a parent, or a person having the care and custody of a minor child under a court order and with whom the child resides. If the minor does not meet the requirements of this subsection, then the deposit shall be paid only to his or her legally appointed guardian.

(4) The receipt or acquittance by the beneficiary or guardian to whom the payment is made shall be a valid and sufficient release and discharge to the depository for all payments made.

History: 1909, Act 248, Eff. Sept. 1, 1909 ;-- CL 1915, 8039 ;-- Am. 1929, Act 145, Eff. Aug. 28, 1929 ;-- CL 1929, 12062 ;-- CL 1948, 487.702 ;-- Am. 1991, Act 41, Imd. Eff. June 14, 1991

487.703 Deposit in name of joint beneficiaries; payment; receipt sufficient; deposits made payable to survivor; prima facie evidence.

Sec. 3.

When a deposit shall be made, in any bank by any person in the name of such depositor or any other person, and in form to be paid to either or the survivor of them, such deposits thereupon and any additions thereto, made by either of such persons, upon the making thereof, shall become the property of such persons as joint tenants, and the same together with all interest thereon, shall be held for the exclusive use of the persons so named and may be paid to either during the lifetime of both, or to the survivor after the death of 1 of them, and such payment and the receipt or acquittance of the same to whom such payment is made shall be a valid and sufficient release and discharge to said banking institution for all payments made on account of such deposits prior to the receipt by said bank of notice in writing not to pay such deposit in accordance with the terms thereof.

When a deposit has been made, or shall hereafter be made, in any banking institution transacting business in this state, in the names of 2 or more persons, payable to either or the survivor or survivors, such deposit or any part thereof or any interest or dividend thereon and any additions thereto, made by any 1 of the said persons, shall become the property of such persons as joint tenants, and the same shall be held for the exclusive use of the persons so named and may be paid to any 1 of said persons during the lifetime of said persons or to the survivor or survivors after the death of 1 of them, and such payment and the receipt or acquittance of the same to whom such payment is made shall be a valid and sufficient release and discharge to said banking institution for all payments made on account of such deposits prior to the receipt by said bank of notice in writing not to pay such deposit in accordance with the terms thereof.

The making of the deposit in such form shall, in the absence of fraud or undue influence, be prima facie evidence, in any action or proceeding, to which either such banking institution or surviving depositor or depositors is a party, of the intention of such depositors to vest title to such deposit and the additions thereto in such survivor or survivors.

History: 1909, Act 248, Eff. Sept. 1, 1909 ;-- CL 1915, 8040 ;-- CL 1929, 12063 ;-- Am. 1937, Act 286, Imd. Eff. July 23, 1937 ;-- CL 1948, 487.703

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