***** Act 317 of 1947 THIS ACT WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

MICHIGAN COMMUNITY PROPERTY ACT

Act 317 of 1947

AN ACT to provide for the creation of a community estate between husband and wife in real and personal property as defined herein; to prescribe the effect of such community estate; to define and prescribe certain rights and liabilities of parties affected hereby; to eliminate curtesy and dower in such community estate; to preserve the right of dower in the separate property of the husband, and to repeal all acts and parts of acts inconsistent herewith.

History: 1947, Act 317, Imd. Eff. July 1, 1947
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

CAUTION! This document is from an archive and may contain outdated information.

The People of the State of Michigan enact:

***** 557.201 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.201 Separate property of husband; control, disposition, dower of wife.

Sec. 1.

(a) All property of the husband, real and personal, owned by him before marriage or before the effective date of this act, whichever is later, and that afterwards acquired by him by gift, inheritance, devise, or bequest, or received by him as damages or compensation for personal injuries, and all property of every kind, character, or description derived originally from property so owned or acquired, shall be his separate property, subject however to the right of dower.

(b) The husband shall have the right to manage, control, dispose of, and otherwise deal with his separate property in the manner provided by law without limitation by the provisions of this act, subject however to the right of dower.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.201
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.202 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.202 Separate property of wife; control, disposition.

Sec. 2.

(a) All property of the wife, real and personal, owned by her before marriage, or before the effective date of this act, whichever is later, and that afterwards acquired by her by gift, inheritance, devise, or bequest, or received by her as damages or compensation for personal

injuries, and all property of every kind, character, or description derived originally from property so owned or acquired, shall be her separate property.

(b) The wife shall have the right to manage, control, dispose of, and otherwise deal with her separate property in the manner provided by law without limitation by the provisions of this act.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.202
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.203 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.203 Property owned jointly or by entirety by husband and wife; control, inapplicability of act.

Sec. 3.

(a) All property owned by the husband and wife before the effective date of this act as tenants by the entirety or in any other manner recognized by law whereby neither the husband nor the wife individually has a separate property interest therein as defined in sections 1 and 2 of this act, as well as that afterwards owned by the husband and wife in any such manner which has been acquired by gift, devise, or bequest or by the transfer of the separate property of either the husband or the wife as defined in sections 1 and 2 of this act or of the interest of the husband and the wife, or of either of them, in community property as permitted by section 8 of this act, and all property of every kind, character, or description derived originally from property so owned or acquired, shall be the separate property of the husband and wife.

(b) The husband and wife, or either of them, shall hold, own and have the right to manage, control, dispose of, and otherwise deal with the separate property of the husband and wife in the manner provided by law without limitation by the provisions of this act.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.203
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.204 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.204 Community property; interest of husband and wife.

Sec. 4.

All property of every kind, character, or description acquired by either the husband or the wife, or both, after marriage, or on or after the effective date of this act, whichever is later, except that which is defined as the separate property of either or the separate property of both in sections 1, 2 and 3 of this act, shall be deemed the community property of the husband and wife, and each shall be vested with an undivided 1/2 interest therein. The respective interest of the husband and the wife in such community property shall be present, existing, and equal interests and shall arise as an incident of marriage.

CAUTION! This document is from an archive and may contain outdated information.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.204
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.205 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.205 Presumption that property is community property; exceptions, rebuttal.

Sec. 5.

There shall be a rebuttable presumption that all property, real and personal, acquired by the husband or the wife, or both, after marriage, or on or after the effective date of this act, whichever is later, is community property: Provided, however, That nothing contained in this act shall prevent a husband and wife from acquiring and holding property in any manner permitted by law prior to the effective date of this act. Such presumption shall be deemed to be rebutted in any instrument of conveyance of real property where the grantees therein are described as husband and wife.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.205
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.206 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.206 Community property; right of wife or husband to receive and control earnings for personal services; limitations; effect of breach; rights of third persons.

Sec. 6.

(a) The wife shall have the right to receive, manage, control, dispose of, and otherwise deal with that portion of the community property which consists of her earnings for personal services and all other community property which shall stand in her name, subject to the limitations set forth in paragraph (c) below.

(b) The husband shall have the right to receive, manage, control, dispose of, and otherwise deal with all other community property, including that portion of the community property which consists of his earnings for personal services and all other community property which shall stand in his name, subject to the limitations set forth in paragraph (c) below.

(c) (1) Neither the husband nor the wife shall dispose of or encumber community real property or encumber any community property exempt under the provisions of section 43 of chapter 23 of Act No. 314 of the Public Acts of 1915, being section 14578 of the Compiled Laws of 1929, as amended, or lease community real property for a longer period than 1 year unless the other shall join in the execution of the instrument. (2) Neither the husband nor the wife shall make any gift of community property or dispose of or encumber the same without adequate consideration, without the consent of the other. (3) Neither the husband nor the wife shall dispose of or encumber the furniture, furnishings, or fittings of the home, to the extent that the same constitutes community property, without the consent of the other. (4) Neither the husband nor the wife shall have the right to devise or bequeath more than 1/2 of the community property. (5) The rights given to the husband and to the wife to manage, control, dispose of, and otherwise deal with community property, as provided in this section, shall be

CAUTION! This document is from an archive and may contain outdated information.

exercised in good faith for the benefit of the community. In case of any violation by the husband or the wife of the above limitations or any part thereof, the spouse aggrieved shall be entitled to appropriate relief against the other spouse at law or in equity. The foregoing provisions shall not entitle the wife or the husband, by court proceedings or otherwise, to interfere with or affect the right of the other to collect his or her earnings for personal services.

(d) Breach by either spouse of any of the limitations set forth in paragraph (c) above shall not affect the rights of, or impose any liability upon, any person dealing with such spouse without actual knowledge of such breach, nor affect the rights of, or impose any liability upon, any subsequent party in interest unless such subsequent party has actual knowledge of such breach at the time of acquiring such interest, and not then if any predecessor in interest acquired the same without actual knowledge of such breach. Knowledge of the existence of the marital relationship shall not impose any duty to make inquiry as to the occurrence of such a breach, nor shall any such duty be imposed by knowledge of self-dealing by either spouse.

(e) Notwithstanding any of the provisions of this section, any other person may rely, and shall be fully protected in so doing, upon the right of either spouse to receive, manage, control, dispose of, or otherwise deal with property which shall stand in the names of both of them in such manner that by law, but for the provisions of this act, either would be entitled so to deal therewith.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.206
Compiler's Notes: Act 314 of 1915, referred to in this section, was repealed by Act 236 of 1961.This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.207 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

CAUTION! This document is from an archive and may contain outdated information.

557.207 Community property; representation in actions against; enforcement of judgment or decree; exceptions.

Sec. 7.

The husband shall represent the community in all actions, suits, and other proceedings at law or in equity, except those relating solely to community property subject to the management and control of the wife, as to which the wife shall represent the community. The spouse representing the community with respect to the matters in issue therein shall be a necessary party, and the other spouse shall be a proper but not a necessary party, to all such actions, suits, and other proceedings brought by or on behalf of the community and to all such actions, suits, and other proceedings brought to enforce any debts or liabilities of the community or to affect the ownership of or foreclose any lien on the community property: Provided, That no judgment, decree, or other order shall be enforced against either spouse personally or against the separate property of such spouse unless such spouse shall be a party. The foregoing provisions of this section 7 are subject to the provisions of any decree which may be entered pursuant to section 11 of this act and shall not be applicable in any proceedings by 1 spouse against the other under the provisions of paragraph (c) of section 6 of this act.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.207
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.208 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.208 Community property; conveyances or transfer between husband and wife; equity of creditors.

Sec. 8.

The husband may give, grant, bargain, sell, or convey directly to his wife, and the wife may give, grant, bargain, sell, or convey directly to her husband or the husband and wife may give, grant, bargain, sell, or convey directly to themselves, his, her, or their community right, title, interest, or estate in all or any community property, real or personal. Every such transfer shall operate to divest the property therein described of every claim or demand as community property, and shall vest the same in the transferee or transferees as his, her, or their separate property, as the case may be. No such transfer shall affect any equity in favor of creditors existing at the time thereof.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.208
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.209 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.209 Community property; control or disposition; liability of separate property for debts benefiting community interest; satisfaction of debts; personal services.

Sec. 9.

(a) In addition to the liability thereof otherwise provided by law, the separate property of the wife shall be liable for debts contracted and liabilities incurred by reason of any transaction entered into or action taken by the wife relating to the management or control or disposition of or other dealing with or for the protection or benefit of the community property or furthering the interests of the community.

(b) In addition to the liability thereof otherwise provided by law, the separate property of the husband shall be liable for debts contracted and liabilities incurred by reason of any transaction entered into or action taken by the husband relating to the management or control or disposition of or other dealing with or for the protection or benefit of the community property or furthering the interests of the community.

(c) The community property (1) shall be liable for debts contracted and liabilities incurred by the husband or by the wife or by both in any transaction entered into or action taken by the husband or the wife or both relating to the management or control or disposition of or other dealing with or for the protection or benefit of the community property or furthering the interests of the community, and (2) shall also be liable for debts otherwise contracted by the husband and liabilities otherwise incurred by or imposed upon him. With respect to the liability of community property for such debts and liabilities, no distinction shall be made between community property subject to the management and control of the wife and community property subject to the management and control of the husband.

(d) As between the husband and wife, the community property shall be first resorted to for the satisfaction of the debts and liabilities referred to in subdivision (1) of paragraph (c) of this

CAUTION! This document is from an archive and may contain outdated information.

section and the separate property of the husband shall be first resorted to for the satisfaction of the debts and liabilities referred to in subdivision (2) of said paragraph (c), but in the event that community property is applied to the satisfaction of the debts and liabilities referred to in said subdivision (2), the amount which has been so applied shall be chargeable solely against the interest of the husband therein and upon any division of the community property by reason of death, divorce, or other termination of the community, the respective interests of the husband and the wife in the community property shall be adjusted accordingly.

(e) The earnings of the wife for personal services, whether prior or subsequent to the inception of the community, shall be liable for all debts contracted and liabilities incurred by the wife prior to the inception of the community.

(f) The earnings of the husband for personal services, whether prior or subsequent to the inception of the community, shall be liable for all debts contracted and liabilities incurred by the husband prior to the inception of the community.

(g) As between the husband and wife, the separate property shall be first resorted to for the satisfaction of the debts and liabilities referred to in paragraphs (e) and (f) of this section.

(h) For the purposes of paragraphs (e) and (f) of this section, the inception of the community shall be the date of marriage or the effective date of this act, whichever is later.

(i) Nothing in this section shall be deemed to affect or modify the obligation of the husband to support his wife and family and to discharge all debts contracted by the wife for necessaries for herself and family during marriage: Provided, however, That if and whenever there is community property available for such purpose the husband shall be entitled to resort first to such community property.

(j) Nothing in this section shall be deemed to prevent the wife or the husband from mortgaging, pledging, or otherwise encumbering her, his, or their separate property or to prevent the wife and the husband from joining in a mortgage, pledge, or other encumbrance of community property as security for any indebtedness whether of the wife or of the husband or both.

CAUTION! This document is from an archive and may contain outdated information

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.209
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.210 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.210 Exemptions; homestead, encumbrance or disposition.

Sec. 10.

Nothing in this act shall be deemed to affect or modify the exemptions to which the husband and the wife, or either of them, are entitled by law. The homestead, whether it is separate property or community property, shall not be disposed of or encumbered except as provided by law prior to the enactment of this act.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.210
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.211 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.211 Incapacity of husband or wife; substitution of other spouse; petition; hearing; decree; recording copy; jurisdiction of probate code.

Sec. 11.

(a) Whenever the husband or the wife is non compos mentis, or has been convicted of a felony and imprisoned for a period of more than 1 year, or whenever the husband or the wife has deserted the other spouse, or whenever the husband or the wife is an habitual drunkard, or for any other reason is incapacitated or incompetent to receive, manage, control, dispose of, or otherwise deal with community property, the other spouse may present a petition, duly verified, to the circuit court of the county in which the petitioner resides or, if a non-resident of this state, of the county wherein any of the community property is located. The petition shall state the name of the defendant spouse, a summary of all community property, so far as known, and the facts which render the defendant spouse incapable or incompetent to receive, manage, control, dispose of, or otherwise deal with community property, and shall pray that the spouse filing the petition be substituted for the defendant spouse, as to the right to receive, manage, control, dispose of, and otherwise deal with all or any designated portion or portions of the community property, then owned and thereafter to be acquired, which would otherwise be under the management and control of the defendant spouse.

(b) In all such cases service of process shall be had as in equity proceedings: Provided, however, That where it is alleged that the other spouse is non compos mentis, his guardian shall represent him or a guardian ad litem shall be appointed having such powers as in other civil actions.

(c) Upon the hearing of the petition, the court shall enter a decree either dismissing said petition or adjudging the spouse filing the same to have such power to receive, manage, control and dispose of, and deal with all or any designated portion or portions of community property, then owned and thereafter to be acquired, which would otherwise be under the management and control of the defendant spouse, and containing such other provisions, which as to the court may appear to be just, proper, equitable, and to the best interests of the community.

(d) In case of any change in conditions after the entry of a decree pursuant to this section, either spouse may, by petition duly verified setting forth such change in conditions, apply to the court having jurisdiction thereof for the entry of a decree modifying or rescinding such decree. In such case notice to the other spouse shall be given in such manner as the court may direct. Upon the hearing of such petition the court shall enter a decree either denying such petition or modifying or rescinding the decree, as to the court may appear to be just, proper, equitable, and to the best interests of the community.

(e) A certified copy of such decree shall be recorded in the office of the register of deeds for the county where the decree was entered and for the county where any of the community property is then located and such recording shall constitute notice to all parties of the facts contained in such decree as to all property located in any such county.

(f) Whenever a probate court under the provisions of Act No. 288 of the Public Acts of 1939, as amended, has jurisdiction with respect to a spouse who is mentally incompetent, an habitual drunkard, or otherwise incompetent, such court shall have jurisdiction concurrent with that herein provided for the circuit court with respect to proceedings under the provisions of this section.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.211
Compiler's Notes: For provisions of Act 288 of 1939, referred to in this section, see MCL 701.1 et

CAUTION! This document is from an archive and may contain outdated information.

seq.This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.212 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.212 Community property; rights of husband or wife on divorce or separation.

Sec. 12.

In the event of a divorce from the bond of matrimony or from bed and board by decree of any court of competent jurisdiction, community property shall be divided between the parties by the court granting the decree, in such proportions and in such manner as such court, from the facts in the case, shall deem just, proper, and equitable. The respective interests of the parties in any community property which is not divided by such decree shall thereafter be deemed to be those of tenants in common.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.212
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.213 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.213 Community property; disposition upon death of either husband or wife; administration of estate; procedure.

Sec. 13.

(a) Upon the death of the husband or the wife, 1/2 of the community property shall continue to belong to the surviving spouse and the other 1/2 shall pass in accordance with testamentary disposition by the deceased spouse, or, in the absence of testamentary disposition, then to the heirs at law and distributees of the deceased spouse in the manner provided by law, subject to the following provisions of this section.

(b) The executor of the will or the administrator of the estate of the deceased spouse shall administer all of the community property which stands in the name of the deceased spouse, including the interests therein of the surviving spouse and of the deceased spouse, as well as the separate property of the deceased spouse. Such executor or administrator shall have the same rights, powers, and duties with respect to the administration and disposition of such community property, real and personal, as with respect to the separate property of the deceased spouse. All of the provisions of Act No. 288 of the Public Acts of 1939, as amended, with respect to the administration and disposition of property, real and personal, included in estates, shall be applicable with respect to such community property as well as with respect to such separate property. The probate court having jurisdiction of the estate of the deceased spouse shall determine whether and to what extent property being so administered constitutes separate property of the deceased spouse or community property and shall also determine whether and to what extent property standing in the name of the surviving spouse, or standing in the names of both the surviving spouse and the deceased spouse in such manner that by law, but for the provisions of this act, the surviving spouse would succeed thereto by reason of survivorship, constitutes separate property of the survivor or community property. Such determination shall be made upon application of the executor or administrator, the surviving spouse, or any other

CAUTION! This document is from an archive and may contain outdated information.

interested person, after such notice to the surviving spouse and any other interested person as the court may direct, and, in addition thereto, in any case where creditors of the estate have not yet been determined, notice shall be given as provided for in Act No. 288 of the Public Acts of 1939, as amended. Upon the making of such determination, the court shall enter an order in accordance therewith, including such directions to the executor or administrator and to the surviving spouse as to the execution and delivery of any conveyances, transfers, waivers, or releases as shall be appropriate to carry out the terms thereof, so that all property which constitutes community property shall be subject to administration by the executor or administrator and that which constitutes separate property of the surviving spouse shall be free from such administration, and all of the provisions of Act No. 288 of the Public Acts of 1939, as amended, which are applicable with respect to community property standing in the name of the deceased spouse, as hereinbefore provided, shall likewise be applicable with respect to all community property so subjected to administration by such executor or administrator.

(c) In the order for and at the time of the determination of claims, such court shall also determine whether and to what extent claims and administration expenses are payable out of community property or out of separate property of the deceased spouse and those payable out of community property shall be charged equally against the half of the community property which belongs to the survivor and the half which passes in accordance with testamentary disposition of or to the heirs and distributees of the deceased spouse. No estate, inheritance, succession, or similar taxes payable by reason of the transfer upon the death of the deceased spouse of the interest of such spouse in community property shall be charged against the half of the community property which belongs to the surviving spouse.

(d) When all claims and administration expenses for which the community property is liable have been fully satisfied, or appropriate provision has been made for their satisfaction, the court shall enter an order directing the executor or administrator to execute and deliver such instruments as shall be appropriate to transfer and convey 1/2 of the remainder of the community property to the surviving spouse and thereafter the interest of the surviving spouse in such property shall be that of a tenant in common. The probate court shall have authority to conduct any further hearing and to make any further determination which shall be incidental or necessary to carrying out the provisions of this act.

(e) Notwithstanding any other provision of this act, any other person may rely, and shall be fully protected in so doing, upon the right of the surviving spouse to receive, manage, control, dispose of, or otherwise deal with property standing in the name of the surviving spouse, or standing in the names of both the surviving spouse and the deceased spouse in such manner that by law, but for the provisions of this act, the surviving spouse would succeed thereto by reason of survivorship.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.213
Compiler's Notes: For provisions of Act 288 of 1939, referred to in this section, see MCL 701.1 et seq.This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.214 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.214 Community property; curtesy or dower; dower of wife in separate property of husband.

Sec. 14.

CAUTION! This document is from an archive and may contain outdated information

No right of curtesy or of dower shall be allowed in community property, but this act shall in no way affect the wife's right to dower in her husband's separate property.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.214
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.215 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.215 Applicability of act.

Sec. 15.

This act shall apply to personal property, wherever situated, acquired by a husband or wife while domiciled in this state and shall apply to the real property situated in this state of a husband or wife while domiciled therein. This act shall not apply to any property, wherever situated, acquired by a husband or wife while not domiciled in this state.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.215
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.216 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.216 Life insurance proceeds; payment by insurer; discharge; effect of notice by person claiming interest in policy or payment.

Sec. 16.

Notwithstanding the provisions of this act, when the proceeds of, or payments under a policy or contract issued by a life insurance company become payable and the company makes payment thereof in accordance with the terms thereof, or in accordance with the terms of any written assignment thereof, if the policy or contract has been assigned, such payment shall fully discharge the company from all claims under such policy or contract unless, before such payment is made, the company has received, at its home office, written notice by or on behalf of some other person that such other person claims to be entitled to such payment or some interest in the policy or contract.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.216
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.217 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.217 Effect of act.

Sec. 17.

CAUTION! This document is from an archive and may contain outdated information.

This act shall not be construed to operate retroactively and any right established or accrued and any action taken prior to the effective date of this act shall be governed by the law in force at the time such right was established or accrued or such action was taken.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.217
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.218 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.218 Michigan community property act; short title.

Sec. 18.

This act and all amendments thereto shall be known and may be cited as the "Michigan community property act."

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.218
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.219 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.219 Effective date of act.

Sec. 19.

The effective date of this act shall be July 1, 1947.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.219
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

***** 557.220 THIS SECTION WAS REPEALED BY ACT 39 OF 1948 (1ST EX. SESS.) EFFECTIVE MAY 10, 1948, SUBJECT TO SAVINGS PROVISIONS IN § 557.252 ET SEQ. *****

557.220 Repeal.

Sec. 20.

All acts and parts of acts in any wise inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

History: 1947, Act 317, Imd. Eff. July 1, 1947 ;-- CL 1948, 557.220
Compiler's Notes: This act was repealed by MCL 557.251, subject to the saving provisions contained in MCL 557.252 et seq.

CAUTION! This document is from an archive and may contain outdated information.