

**ESTATES AND PROTECTED INDIVIDUALS CODE (EXCERPT)**  
**Act 386 of 1998**

\*\*\*\*\* 700.7104.amended THIS AMENDED SECTION IS EFFECTIVE APRIL 1, 2010 \*\*\*\*\*

**700.7104.amended Notice or knowledge of fact.**

Sec. 7104. (1) Subject to subsection (2), a person has knowledge of a fact if 1 or more of the following apply:

- (a) The person has actual knowledge of it.
- (b) The person has received a notice or notification of it.
- (c) From all the facts and circumstances known to the person at the time in question, the person has reason to know it.

(2) An organization that conducts activities through employees has notice or knowledge of a fact involving a trust only from the time the information was received by an employee having responsibility to act for the trust or from the time the information would have been brought to the employee's attention if the organization had exercised reasonable diligence. An organization exercises reasonable diligence if it maintains reasonable routines for communicating significant information to the employee having responsibility to act for the trust and there is reasonable compliance with the routines. Reasonable diligence does not require an employee of the organization to communicate information unless the communication is part of the individual's regular duties or the individual knows a matter involving the trust would be materially affected by the information.

**History:** 1998, Act 386, Eff. Apr. 1, 2000;—Am. 2009, Act 46, Eff. Apr. 1, 2010.

**Popular name:** EPIC