

MEMORANDUM

TO: Real Property Law Section Council

FROM: Thomas A. Kabel

DATE: May 10, 2021

SUBJECT: Legislative Committee - Report

1. **Monthly Call.** The ad hoc Legislative Committee met via conference call this Monday, May, 2021, to discuss recent legislation.
2. **New Proposed Legislation.** Of the recently introduced legislation impacting real estate, the Committee discussed the following bills for potential action by Council:

- **Construction Lien Act Amendment** – HB 4668
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4668.pdf>

Proposed Action: Oppose Bill for reasons to be presented to Council

- **Prohibited Restrictive Covenants Act** – HB 4416
(<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4416.pdf>)

Proposed Action: Oppose Bill for reasons to be presented to Council

3. **Bills of Interest; New Acts.** In addition to the bills noted above and those noted on the accompanying Legislative Report for May 7, 2021, the following bills of interest were introduced since the date of the April 2021 Legislative Report:

- **Uniform Assignment of Rents Act** – HB 4799
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4799.pdf>

Proposed Action: Under review by LegCom; no action at this time

- **Landlord Tenant Act Amendment** – SB 0413
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/Senate/pdf/2021-SIB-0413.pdf>

Proposed Action: No action necessary

- **Attainable Housing and Rehab. Act/Res. Housing Facilities Act**—HB 4647 & SB 362, 422
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4647.pdf>
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/Senate/pdf/2021-SIB-0362.pdf>
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/Senate/pdf/2021-SIB-0422.pdf>

Proposed Action: No action necessary

4. **Potential Future Action.**

- **Marketable Record Title Act** – the Section’s lobbyist is working to reintroduce a draft of the Section’s comprehensive amendment to the Marketable Record Title Act, which was introduced but not passed during the prior legislative session.
- **Prior Tax Foreclosure Amendments (issue with MCL §781(1))** – the Section’s lobbyist will be working to assist us in trying to fix the problem the Section previously identified with this legislation [*see* November 2020 Legislative Report].

5. **Pending Legislation; Positions.** Except as noted above, none of the current bills on which the Council previously took action have been acted upon.

6. **Additional Matters.**

- **Elder Abuse Task Force/Probate Section** – Proposed Uniform Power of Attorney Act