

MEMORANDUM

TO: Real Property Law Section Council

FROM: Dawn M. Patterson

DATE: July 26, 2021

SUBJECT: Legislative Committee - Report

1. **Monthly Call.** The ad hoc Legislative Committee met via conference call this Monday, July 26, 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:

- **Seller's Disclosure Statement** – SB 472 Modifies the Seller's Disclosure Statement, by adding disclosures to the form.

<http://legislature.mi.gov/doc.aspx?2021-SB-0472>

Proposed Action: Inquiry will be made with lobbyist regarding background information on this bill.

- **Michigan Condominium Act** – HB 4825

<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4825.pdf>

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

3. **Bills of Interest.** In addition to the bills noted above and those noted on the accompanying Legislative Report for July 19, 2021, the following bills of interest were introduced since the date of the May 2021 Legislative Report:

- **Short-Term Rental related:**

- HB 5172 & 5173, <http://legislature.mi.gov/doc.aspx?2021-HB-5172> & <http://legislature.mi.gov/doc.aspx?2021-HB-5173>
- SB 446, <http://legislature.mi.gov/doc.aspx?2021-SB-0446>
- SB 547, <http://legislature.mi.gov/doc.aspx?2021-SB-0547>
- SB 594, <http://legislature.mi.gov/doc.aspx?2021-SB-0594>
- SB 595, <http://legislature.mi.gov/doc.aspx?2021-SB-0595>

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

- **House Joint Resolution J (2021)** Proposes an amendment to the state constitution as to Article I and Article X to remove gender limitations.

<http://legislature.mi.gov/doc.aspx?2021-HJR-J>

Proposed Action: No action necessary

- **Land Division Act - SB 589** Requires grantor or lessor to record the certified survey
<http://legislature.mi.gov/doc.aspx?2021-SB-0589>

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

- **New Act – Fees for sewage and municipal stormwater utilities – SB 593**
<http://legislature.mi.gov/doc.aspx?2021-SB-0593>

Proposed Action: Inquiry will be made with lobbyist regarding background information on this bill

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. The Section’s lobbyist is encouraged that she will find a sponsor for the bill.
- **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].
- **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

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

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

Position: At the May 12, 2021 Council meeting, Council voted to oppose this Bill.

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

Position: At the May 12, 2021 Council meeting, Council voted to oppose this Bill.

6. **Additional Matters.**

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