

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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**Senate Bill 828 (as reported without amendment)****Sponsor: Senator William Sederburg****Committee: Finance****Date Completed: 11-28-88*****RATIONALE***

The Michigan Code of Escheats prescribes the process under which personal and real property that has been abandoned, or that was owned by a person who died intestate and left no known heirs, escheats (reverts) to the State. The Code requires the State to publish in a newspaper notice of property that is to escheat to the State, in an attempt to inform persons that their property is to escheat. It has been pointed out that escheat notices are often difficult to read because they are printed in small type, include the names and property of several persons or organizations, and are not alphabetized. It has been suggested that guidelines be established for the printing of escheats notices.

***CONTENT***

The bill would amend the Michigan Code of Escheats to require that notices required by the Code be published in a newspaper, be "written in a clear and coherent manner using words with common everyday meaning", and be printed with type of the same size as the type normally used in the newspaper. If the notice contained the names of more than one person, the names would have to be listed alphabetically.

Proposed MCL 567.47a

***FISCAL IMPACT***

The bill would have no fiscal impact on State or local government.

***ARGUMENTS******Supporting Argument***

Escheats notices are often poorly written and virtually impossible to read. If it is the policy of the State to notify persons before it takes their property, then the least that can be expected is that ordinary citizens be able to read the notices. By requiring escheat notices to be clearly written, and persons' names to be listed alphabetically, the bill would take a step toward that goal.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 828 (11-28-88)