



**House
Legislative
Analysis
Section**

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BOAT TITLE TRANSFERS

House Bill 5040

Sponsor: Rep. Alvin Hoekman

**Committee: Marine Affairs &
Port Development**

Complete to 8-6-91

A SUMMARY OF HOUSE BILL 5040 AS INTRODUCED 7-25-91

Public Act 160 of 1976, which regulates boat titles, lists nine ways that boat ownership may be transferred "by operation of law:" inheritance, "devise" (disposition of real property by a formal, written legal document, such as a contract), bequest, order in bankruptcy, insolvency, "replevin" (a legal action taken to recover possession of goods unlawfully taken and held), sale, sale to satisfy a storage or repair charge, and repossession upon default in satisfying the terms of a security agreement.

The bill would amend the act to add a tenth way to transfer boat titles "by operation of law" by allowing the transfer of boats to surviving family members (with preference given first to spouses and then to children). More specifically, the bill would allow a surviving family member to petition the secretary of state for a certificate of title for the dead person's boat under certain circumstances (the boat owner died without a will, the boat was worth less than \$120,000, and the family member provided the secretary of state with proof of the boat owner's death).

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House Bill 5040 (8-6-91)