

# HOUSE BILL No. 4469

March 5, 1991, Introduced by Reps. Niederstadt, Bartnik, Pitoniak, Byrum, Dobronski, Baade, McNutt, Anthony, Middaugh and Dalman and referred to the Committee on Towns and Counties.

A bill to amend section 152 of Act No. 642 of the Public Acts of 1978, entitled as amended  
"Revised probate code,"  
being section 700.152 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 152 of Act No. 642 of the Public Acts of  
2 1978, being section 700.152 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 152. (1) A will of a nonresident decedent ~~which~~ THAT  
5 was admitted to probate at the domicile of the decedent in any  
6 other state or IN A FOREIGN country may be admitted to probate in  
7 ~~any~~ A county of this state in which the decedent left property  
8 upon the filing of an authenticated copy of the will and of the  
9 record admitting that will to probate.

1       (2) Upon proof being shown that the authenticated copy of  
 2 the will and of the record admitting the will of a nonresident  
 3 decedent is in existence in a foreign country but has not been  
 4 secured from the foreign country within 6 months after request  
 5 ~~is~~ WAS made ~~therefor~~ FOR THE COPY, a certified ~~photostat~~  
 6 ~~copy~~ REPRODUCTION of the will PURSUANT TO THE RECORDS MEDIA ACT  
 7 may be admitted to probate if secured through the office of the  
 8 United States consul for the foreign country.

9       (3) A final order of a court of another state determining  
 10 testacy made in a proceeding ~~shall be~~ IS uncontestable and  
 11 shall be accepted as determinative by the probate court in this  
 12 state if it includes, or is based upon, a finding that the dece-  
 13 dent was domiciled at his OR HER death in the state where the  
 14 final order was made.

15       (4) A will from the place of decedent's domicile, which does  
 16 not provide for probate of a will after death, may be proved for  
 17 admission to probate in this state by a duly authenticated cer-  
 18 tificate of the legal custodian of the will that the copy intro-  
 19 duced is a true copy and that the will became effective under the  
 20 laws of decedent's domicile.

21       Section 2. This amendatory act shall not take effect unless  
 22 Senate Bill No. \_\_\_\_\_ or House Bill No. 4438 (request  
 23 no. 01788'91) of the 86th Legislature is enacted into law.