

# HOUSE BILL No. 5706

March 18, 1992, Introduced by Reps. Martin, Gilmer, Hoekman, Nye, DeMars and Dalman and referred to the Committee on Judiciary.

A bill to amend section 2 of Act No. 248 of the Public Acts of 1909, entitled

"An act in relation to the payment of deposits of money in banks and trust companies by minors, trust deposits, and deposits in the names of more than 1 person,"

as amended by Act No. 41 of the Public Acts of 1991, being section 487.702 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 2 of Act No. 248 of the Public Acts of  
2 1909, as amended by Act No. 41 of the Public Acts of 1991, being  
3 section 487.702 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 2. (1) If a deposit of money ~~shall be~~ IS made in a  
6 bank or trust company by a person in trust for another, and no  
7 other or further notice of the existence and terms of a legal and  
8 valid trust ~~shall have been~~ IS given in writing to the bank, if

1 the trustee dies ~~—~~ or, if there is more than 1 trustee, all of  
2 the trustees have died, the deposited money, together with the  
3 dividends or interest on the money, shall be paid to the person  
4 for whom the deposit was made.

5 (2) If the balance of the deposit exceeds \$5,000.00 and the  
6 person to whom the payment is to be made is UNEMANCIPATED AND  
7 under the age of 18 years, the deposit shall be paid only to his  
8 or her legally appointed ~~guardian~~ CONSERVATOR.

9 (3) If the balance of the deposit is less than \$5,000.00 and  
10 the person to whom the payment is to be made is under the age of  
11 18 years, the deposit shall be paid to the minor if the minor is  
12 ~~married~~ EMANCIPATED, a CUSTODIAL parent, or a person having the  
13 care and custody of a minor child under a court order and with  
14 whom the child resides. If the minor does not meet the require-  
15 ments of this subsection, then the deposit shall be paid only to  
16 his or her legally appointed ~~guardian~~ CONSERVATOR.

17 (4) The receipt or acquittance by the beneficiary or  
18 ~~guardian~~ CONSERVATOR to whom the payment is made ~~shall be~~ IS  
19 a valid and sufficient release and discharge to the depository  
20 for all payments made.