

**SUBSTITUTE FOR  
HOUSE BILL NO. 5336**

A bill to amend 1998 PA 386, entitled  
"Estates and protected individuals code,"  
by amending section 1214 (MCL 700.1214).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1214. Unless the governing instrument expressly autho-  
2 rizes such a transaction or investment, unless authorized by the  
3 court, or except as provided in section ~~185~~ 4405 of the banking  
4 code of ~~1969, 1969 PA 319, MCL 487.485~~ 1999, 1999 PA 276, MCL  
5 487.14405, a fiduciary in the fiduciary's personal capacity shall  
6 not engage in a transaction with the estate that the fiduciary  
7 represents and shall not invest estate money in a company, corpo-  
8 ration, or association with which the fiduciary is affiliated,  
9 other than as a bondholder or minority stockholder. A fiduciary  
10 in the fiduciary's personal capacity shall not personally derive  
11 a profit from the purchase, sale, or transfer of the estate's

**HB5336, As Passed House, November 30, 2000**

House Bill No. 5336

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1 property. A fiduciary's deposit of money in a bank or trust  
2 company, in which the fiduciary is interested as an officer,  
3 director, or stockholder, does not constitute a violation of this  
4 section.