



House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

ABOLISH DOCTRINE OF ADVERSE POSSESSION

House Bills 5068 and 5069

Sponsor: Rep. William Callahan

Committee: Civil Law and the Judiciary

Complete to 11-6-01

A SUMMARY OF HOUSE BILLS 5068 AND 5069 AS INTRODUCED 9-20-01

Under provisions of the Revised Judicature Act (RJA), legal title to real estate may be established under the doctrine of adverse possession, provided that the person establishing the legal title has been in possession of the premises within the period of time prescribed by law. House Bill 5068 would add a new section to the RJA (MCL 600.5867a) to abolish the doctrine of securing title by adverse possession, beginning on the effective date of the bill. House Bill 5069 would amend Section 1 of Public Act 200 of 1945, which regulates marketable record titles (MCL 565.101), to comport to the provisions of House Bill 5068. The bills are tie-barred to each other. [Note: There are references to the doctrine of adverse possession in several acts, such as the act regulating conveyances, deeds, and mortgages (MCL 565.1 et al.), that should also be amended to delete references to the doctrine of adverse possession.]

House Bills 5068 and 5069 (11-6-01)

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.