

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 4174 (as passed by the House)  
Sponsor: Representative James Koetje  
House Committee: Civil Law and the Judiciary  
Senate Committee: Judiciary

Date Completed: 10-17-01

### **CONTENT**

The bill would amend Chapter 57 of the Revised Judicature Act (RJA) to require that a summons order a defendant to appear for trial within 30 days, rather than 15 days, in a proceeding to recover possession of a premises after forfeiture of an executory contract for the purchase of the premises (i.e., a land contract forfeiture proceeding). The bill also would base the deadline on the date that the summons was issued; that is, the summons would have to order the defendant to appear for trial within 30 days of the date the summons was issued.

Chapter 57 of the RJA ("Summary Proceedings to Recover Possession of Premises") also requires that the summons in a land contract proceeding be served at least 10 days before the trial date. A summons in any other Chapter 57 proceeding must order the defendant to appear within 10 days and the summons must be served at least three days before the trial date. The bill would retain these provisions and also would base the deadline for appearance in other proceedings on the date that the summons was issued.

MCL 600.5735

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.