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House Bill 5022 (Substitute H-1 as reported without amendment)
House Bill 5023 (Substitute H-2 as reported without amendment)
House Bill 5024 (Substitute H-1 as reported without amendment)
House Bill 5025 (as reported without amendment)
Sponsor: Representative Alan Sanborn
House Committee: Local Government and Urban Policy
Senate Committee: Local, Urban and State Affairs

CONTENT

The bills would amend various statutes to eliminate witness requirements for documents conveying land or an interest in land, including deeds, contracts, and a proprietor's certificate on a plat.

House Bill 5022 (H-1) would amend Chapter 65 of the Revised Statutes of 1846, which governs the conveyance of real property, to eliminate the requirement that deeds of land, or any interest in land, executed within the State be executed in the presence of two witnesses.

House Bill 5023 (H-2) would amend Public Act 103 of 1937, which prescribes conditions for the execution of instruments to be recorded in the register of deeds office, to eliminate the requirement that the name of each witness to an instrument be legibly printed, typewritten, or stamped upon the instrument immediately beneath the signature of the witness. The bill also would delete the requirement that the address of each person executing an instrument be printed, typed, or stamped on it. The bill provides that an instrument that complied with the provisions of the Act and any other act relating to the recording of instruments could not be rejected for recording because of the content of the instrument.

House Bill 5024 (H-1) would amend Public Act 237 of 1879, which provides for the execution, acknowledgment, and recording of contracts, to eliminate the requirement that contracts for the sale of land or any interest in land be executed in the presence of two witnesses.

House Bill 5025 would amend the Land Division Act to eliminate the requirement that the signatures on a proprietor's certificate on a plat be witnessed by two persons.

MCL 565.8 & 565.47 (H.B. 5022)
565.201 (H.B. 5023)
565.351 (H.B. 5024)
560.144 (H.B. 5025)

Legislative Analyst: Nobuko Nagata

FISCAL IMPACT

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

Date Completed: 2-7-02

Fiscal Analyst: Jay Wortley