

**HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 1244**

A bill to amend 1998 PA 386, entitled  
"Estates and protected individuals code,"  
by amending section 3614 (MCL 700.3614).

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

1       Sec. 3614. A special personal representative may be  
2 appointed in any of the following circumstances:

3       (a) Informally by the register on the application of an  
4 interested person if necessary to protect the estate of a  
5 decedent before the appointment of a general personal  
6 representative or if a prior appointment is terminated as  
7 provided in section 3609.

8       (b) By the court on its own motion or in a formal proceeding  
9 by court order on the petition of an interested person if in  
10 either case, after notice and hearing, the court finds that the  
11 appointment is necessary to preserve the estate or to secure its

1 proper administration, including its administration in  
2 circumstances in which a general personal representative cannot  
3 or should not act. If it appears to the court that an emergency  
4 exists, the court may order the appointment without notice.

5 (c) By the court on its own motion or on petition by an  
6 interested person to supervise the disposition of the body of a  
7 decedent who died intestate, without heirs, and with insufficient  
8 assets to pay for a funeral or burial. The duties of a special  
9 personal representative appointed under this subdivision shall be  
10 specified in the order of appointment and may include making  
11 arrangements with a funeral home, securing a burial plot if  
12 needed, obtaining veteran's or pauper's funding where  
13 appropriate, and determining the disposition of the body by  
14 burial or cremation. The court may waive the bond requirement  
15 under section 3603(1)(a). The court may appoint the county  
16 public administrator if the county public administrator is  
17 willing to serve.