

HOUSE BILL No. 5733

February 13, 2008, Introduced by Reps. Dean, Bieda, Miller, Constan, LeBlanc, Moss, Vagnozzi, Alma Smith, Melton, Hammel, Polidori, Brown, Young, Ebli, Valentine, Cushingberry, Bauer, Leland, Johnson, Hopgood, Corriveau, Angerer, Warren, Bennett, Griffin, Caul, Clemente, Jackson, Hammon, Tobocman, Sak, Espinoza, Mayes, Spade, Gonzales, Meisner, Lemmons, Wojno, Byrnes, Byrum, McDowell, Lahti, Sheltrown, Condino, Kathleen Law, Donigan, Rick Jones, Brandenburg, Wenke, Emmons, Shaffer and Huizenga and referred to the Committee on Senior Health, Security, and Retirement.

A bill to amend 1980 PA 307, entitled
"Savings and loan act of 1980,"
(MCL 491.102 to 491.1202) by adding section 629.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 629. (1) WHEN 1 OR MORE CUSTOMERS ESTABLISH A JOINT
2 ACCOUNT AT AN ASSOCIATION, THE ASSOCIATION SHALL PROVIDE TO EACH
3 JOINT ACCOUNT HOLDER A WRITTEN SUMMARY OF THAT ACCOUNT HOLDER'S
4 RIGHTS AND RESPONSIBILITIES CONCERNING USE OF THE JOINT ACCOUNT.

5 (2) IF THE TERMS OF A JOINT ACCOUNT DESCRIBED IN SUBSECTION
6 (1) WILL ALLOW EACH ACCOUNT HOLDER TO WITHDRAW ALL OF THE MONEY IN
7 THE ACCOUNT WITHOUT NOTICE TO OR CONSENT OF ANY OTHER ACCOUNT
8 HOLDERS, AND PROVIDE THAT THE SURVIVING ACCOUNT HOLDERS WILL BECOME
9 THE OWNERS OF THAT ACCOUNT WHEN AN ACCOUNT HOLDER DIES, THEN, IN

1 ADDITION TO THE WRITTEN SUMMARY DESCRIBED IN SUBSECTION (1), THE
2 ASSOCIATION SHALL DO ALL OF THE FOLLOWING BEFORE OPENING THE
3 ACCOUNT:

4 (A) PROVIDE EACH ACCOUNT HOLDER IN WRITING WITH THE FOLLOWING
5 DISCLOSURE:

6 "A JOINT ACCOUNT MEANS THAT EACH ACCOUNT HOLDER IS THE OWNER
7 OF THE MONEY IN THIS ACCOUNT. THIS MEANS THAT YOU AND EACH OF THE
8 OTHER ACCOUNT HOLDERS HAVE THE AUTHORITY TO DEPOSIT OR WITHDRAW
9 MONEY FROM THIS ACCOUNT AT ANY TIME.

10 IF THAT IS NOT YOUR INTENTION, YOU SHOULD NOT OPEN THIS
11 ACCOUNT.

12 IF IT IS YOUR INTENTION THAT THE OTHER ACCOUNT HOLDER OR
13 ACCOUNT HOLDERS RECEIVE THE MONEY IN THE ACCOUNT ONLY WHEN YOU DIE,
14 THERE ARE OTHER TYPES OF ACCOUNTS AVAILABLE THAT DESIGNATE OTHER
15 INDIVIDUALS AS BENEFICIARIES OF THE ACCOUNT AND DO NOT ALLOW THEM
16 ACCESS TO THE MONEY IN THE ACCOUNT DURING YOUR LIFETIME.

17 IF IT IS YOUR INTENTION TO OPEN AN ACCOUNT THAT DESIGNATES 1
18 OR MORE INDIVIDUALS AS BENEFICIARIES OF YOUR ACCOUNT WHEN YOU DIE,
19 AND NOT TO CREATE A JOINT ACCOUNT, PLEASE LET US KNOW."

20 (B) READ THE DISCLOSURE DESCRIBED IN SUBDIVISION (A) TO EACH
21 ACCOUNT HOLDER.

22 (C) REQUIRE EACH ACCOUNT HOLDER TO SIGN AND DELIVER TO THE
23 ASSOCIATION AN ACKNOWLEDGMENT THAT THE BANK HAS COMPLIED WITH ITS
24 OBLIGATIONS UNDER THIS SUBSECTION.