

HOUSE BILL No. 6524

September 29, 2010, Introduced by Reps. Schuitmaker and Meekhof and referred to the Committee on Judiciary.

A bill to amend 1998 PA 386, entitled
"Estates and protected individuals code,"
by amending section 5501 (MCL 700.5501).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5501. (1) A durable power of attorney is a power of
2 attorney by which a principal designates another as the principal's
3 attorney in fact in writing and the writing contains the words
4 "This power of attorney is not affected by the principal's
5 subsequent disability or incapacity, or by the lapse of time", or
6 "This power of attorney is effective upon the disability or
7 incapacity of the principal", or similar words showing the
8 principal's intent that the authority conferred is exercisable
9 notwithstanding the principal's subsequent disability or incapacity

1 and, unless the power states a termination time, notwithstanding
2 the lapse of time since the execution of the instrument.

3 (2) A DURABLE POWER OF ATTORNEY MUST BE SIGNED BY THE
4 PRINCIPAL, DATED, AND SIGNED BY 2 INDIVIDUALS WHO WITNESS THE
5 PRINCIPAL SIGN THE DURABLE POWER OF ATTORNEY.