

HOUSE BILL No. 4747

June 18, 2015, Introduced by Reps. Hughes, Heise, Sheppard, Howrylak, Lucido, Kesto, Runestad, Chatfield, Webber and Cole and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 5821 (MCL 600.5821), as amended by 1988 PA 35.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5821. (1) ~~Actions~~**AN ACTION** for the recovery of any land
2 ~~where the~~**TO WHICH THIS** state is a party ~~are~~**IS** not subject to the
3 periods of limitations, or laches. However, a person who could have
4 asserted claim to title by adverse possession for more than 15
5 years is entitled to seek any other equitable relief in an action
6 to determine title to the land.

7 (2) ~~Actions brought by any municipal corporations for~~**IN AN**
8 **ACTION INVOLVING** the recovery ~~of~~**OR** the possession of ~~any~~**LAND,**
9 **INCLUDING A** public highway, street, alley, **EASEMENT,** or ~~any other~~
10 public ground, ~~are~~**A MUNICIPAL CORPORATION OR POLITICAL SUBDIVISION**
11 **OF THIS STATE IS** not subject to ~~the~~**ANY OF THE FOLLOWING:**

1 (A) THE periods of limitations UNDER THIS ACT.

2 (B) LACHES.

3 (C) A CLAIM FOR ADVERSE POSSESSION, ACQUIESCENCE, OR A
4 PRESCRIPTIVE EASEMENT.

5 (3) AN ACTION CLAIMING AN INTEREST IN LAND MAY NOT BE BROUGHT
6 AGAINST A MUNICIPAL CORPORATION OR A POLITICAL SUBDIVISION OF THIS
7 STATE BEYOND THE APPLICABLE PERIOD OF LIMITATIONS.

8 (4) ~~(3)~~ The periods of limitations prescribed for personal
9 actions apply equally to personal actions brought in the name of
10 the people of this state, ~~or~~ in the name of any officer **OF THIS**
11 **STATE**, or otherwise for the benefit of this state, subject to the
12 exceptions contained in subsection ~~(4)~~. **(5)**.

13 (5) ~~(4)~~ Actions brought in the name of ~~the~~ **THIS** state, ~~of~~
14 ~~Michigan~~, the people of ~~the~~ **THIS** state, ~~of Michigan~~, or any
15 political subdivision of ~~the~~ **THIS** state, ~~of Michigan~~, or in the
16 name of any officer or otherwise for the benefit of ~~the~~ **THIS** state
17 ~~of Michigan~~ or ~~any~~ **A** political subdivision of ~~the~~ **THIS** state ~~of~~
18 ~~Michigan~~ for the recovery of the cost of maintenance, care, and
19 treatment of persons in hospitals, homes, schools, and other state
20 institutions are not subject to the statute of limitations and may
21 be brought at any time without limitation, ~~the~~ **NOTWITHSTANDING ANY**
22 **CONTRARY** provisions of ~~any~~ **A** statute. ~~notwithstanding.~~