



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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House Bill 4752 (as reported without amendment)  
Sponsor: Representative Klint Kesto  
House Committee: Judiciary  
Senate Committee: Judiciary

### **CONTENT**

The bill would amend the Revised Judicature Act to do the following:

- Eliminate a December 31, 2017, sunset on a provision that allows the amount of indebtedness on real estate in a probate estate to be deducted when the administration fee is calculated.
- Eliminate a requirement for a probate court to calculate the value of estates, amounts of indebtedness, and fees collected, and submit the results to the State Court Administrative Office.
- Eliminate a sunset on a provision that increases the portion of probate court fee revenue allocated to the county, rather than the State.

MCL 600.871 & 600.877

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would have a negative fiscal impact on the State and a positive fiscal impact on counties. Although removal of the sunset would continue current practice, this analysis compares the removal to current law, where the fee calculation method will sunset. Making the current inventory fee calculation method permanent would reduce the total revenue collected, since liens against the real property could continue to be deducted before the calculation. Since counties would continue to receive 47.5% of the fee instead of 40%, their total fee revenue would increase, while the total revenue going to the State would decrease.

Comparing the two fee calculation methods for calendar year 2015 (the most recent year of complete data) shows that the current method raised \$322,203 less than would have been raised under the old method (under which the amount of indebtedness on real property was not deducted), but counties received \$234,558 more while the State revenue was \$556,761 less.

Date Completed: 12-1-17

Fiscal Analyst: Ryan Bergan