

HOUSE BILL No. 4967

September 14, 2017, Introduced by Rep. Glenn and referred to the Committee on Judiciary.

A bill to amend 2008 PA 20, entitled
"Uniform foreign-country money judgments recognition act,"
by amending section 3 (MCL 691.1133).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) Except as otherwise provided in subsection (2),
2 this act applies to a foreign-country judgment to the extent that
3 both of the following apply:

4 (a) The judgment grants or denies recovery of a sum of money.

5 (b) Under the law of the foreign country where rendered, the
6 judgment is final, conclusive, and enforceable.

7 (2) This act does not apply to a foreign-country judgment,
8 even if the judgment grants or denies recovery of a sum of money,
9 to the extent that the judgment is any of the following:

10 (a) A judgment for taxes.

11 (b) A fine or other penalty.

1 (c) A judgment for divorce, support, or maintenance or other
2 judgment rendered in connection with domestic relations.

3 **(3) THIS ACT DOES NOT APPLY TO A FOREIGN DEFAMATION JUDGMENT,**
4 **AS THAT TERM IS DEFINED IN SECTION 2 OF THE FREE SPEECH DEFENSE**
5 **ACT, TO THE EXTENT THAT THIS ACT CONFLICTS WITH THE FREE SPEECH**
6 **DEFENSE ACT.**

7 **(4)** ~~(3)~~—A party seeking recognition of a foreign-country
8 judgment has the burden of establishing that this act applies to
9 the foreign-country judgment.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.

12 Enacting section 2. This amendatory act does not take effect
13 unless Senate Bill No.____ or House Bill No.____ (request no.
14 03883'17) of the 99th Legislature is enacted into law.