

# Legislative Analysis



## MARKETABLE RECORD TITLE CLAIM EXTENSION

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5611 as reported from committee**

**Sponsor: Rep. James A. Lower**

**1st Committee: Local Government and Municipal Finance**

**2nd Committee: Ways and Means**

**Complete to 9-3-20**

Analysis available at  
<http://www.legislature.mi.gov>

*(Enacted as Public Act 294 of 2020)*

### SUMMARY:

House Bill 5611 would amend the Marketable Record Title Act to extend the amount of time under which a claim against a marketable record title could be filed by three years.

Marketable record title generally refers to an ownership interest in land that can be transferred to a new owner without the likelihood that another person can claim an interest in the property. Under the act, a person possesses a marketable record title to an interest in land if he or she has an unbroken chain of title to the interest for 40 years or, for mineral interests, 20 years.

2018 PA 572<sup>1</sup> revised the deadline for filing a notice to preserve a claim to two years after that bill took effect, or until March 29, 2021.

The bill would extend that deadline to March 29, 2024.

MCL 565.103

### FISCAL IMPACT:

The bill would have no discernible direct fiscal impact on state or local government.

### POSITIONS:

The following entities indicated support for the bill:  
Real Estate Developers Association (5-28-20)  
Michigan Realtors (9-3-20)

Legislative Analyst: Jenny McInerney  
Fiscal Analyst: Ben Gielczyk

---

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

---

<sup>1</sup> See <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-0671-7FCBEF78.pdf>