



Senate Fiscal Agency  
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BILL ANALYSIS

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Senate Bill 1186 (Substitute S-1 as reported by the Committee of the Whole)  
Senate Bill 1187 (Substitute S-1 as reported by the Committee of the Whole)  
Senate Bill 1188 (Substitute S-1 as reported by the Committee of the Whole)  
Senate Bill 1189 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Senator Peter MacGregor  
Committee: Government Operations (discharged)

### **CONTENT**

Senate Bill 1186 (S-1) would amend the Uniform Electronic Transactions Act to extend a sunset date, from December 31, 2020, to June 30, 2021, before which strict compliance with a requirement that the Department of Technology, Management, and Budget (DTMB) determine whether, and the extent to which, each State department will send and accept electronic signatures is suspended to allow each State department to do so without a determination or approval from the DTMB.

Senate Bill 1187 (S-1) would amend the Michigan Law on Notarial Acts to do the following:

- Extend a sunset date, from December 31, 2020, to June 30, 2021, for a period of time during which a notary public's commission that expired after March 1, 2020, would remain valid.
- Extend a sunset date, from January 1, 2021, to July 1, 2021, before which a record signed under the Act could be signed in counterparts.
- State that legislative intent with respect to use of electronic records and signatures and notarial acts performed electronically would apply until after June 30, 2020.

Senate Bill 1188 (S-1) would amend the Uniform Real Property Electronic Recording Act to extend a sunset date, from January 1, 2021, to July 1, 2021, before which a register of deeds must accept electronic documents of recording and deem all financial institutions and title insurances companies or their employed or contracted settlement agents as covered by an agreement establishing a verified transactional relationship for the purpose of accepting electronic documents for recording.

Senate Bill 1189 (S-1) would amend the Estates and Protected Individuals Code to do the following:

- Extend a sunset date, from January 1, 2020, to July 1, 2020, before which the act of signing or witnessing the execution of a will, a funeral representative designation, a parental appointment of a guardian of a minor, an appointment of a guardian of a legally incapacitated individual, a durable power of attorney, or a patient advocate designation is satisfied by use of a two-way real-time audiovisual technology if the prescribed requirements are met.
- Extend a sunset date, from December 31, 2020, to June 30, 2021, before which a guardian, guardian ad litem, or visitor may satisfy any requirement concerning a visit with an individual by instead conferring with the individual via two-way real-time audiovisual technology.

MCL 450.848a (S.B. 1186)  
55.269 et al. (S.B. 1187)  
565.844a (S.B. 1188)  
700.1202 & 700.5108 (S.B. 1189)

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

Senate Bill 1186 (S-1) would have a minor positive fiscal impact on State government and no fiscal impact on local units of government. The bill likely would result in minor cost savings to the DTMB. This would continue any administrative savings seen under the previous emergency orders regarding electronic records and signatures.

Senate Bills 1187 (S-1) and 1188 (S-1) would have no fiscal impact on State or local government.

Senate Bill 1189 (S-1) could have a minor, positive fiscal impact on the State and local courts systems. As an alternative means to meet statutory requirements for the witnessing or signing of legal documents or legal appointments, the bill could reduce logistical hurdles or red tape that otherwise could slow legal processes on account of the COVID-19 pandemic. The amount of reduced costs or wait times because of the bill is indeterminate.

Date Completed: 12-3-20

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