

Act No. 70
Public Act of 1989
June 27, 1989
Filed by the Secretary of State
June 27, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Reps. Gire, Power, Joe Young, Jr., DeBeaussaert, Pitoniak, Gubow, Profit, Miller, Gilmer, Bandstra, Oxender, Jondahl and Perry Bullard

ENROLLED HOUSE BILL No. 4463

AN ACT to amend section 846 of Act No. 236 of the Public Acts of 1961, entitled as amended "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," being section 600.846 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 846 of Act No. 236 of the Public Acts of 1961, being section 600.846 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 846. In an action or proceeding pending in any other court of this state of which the probate court and the other court have concurrent jurisdiction, the judge of the other court, upon motion of a party and after a finding and order on the jurisdictional issue, may by order remove the action or proceeding to the probate court. If the action or proceeding is removed to the probate court, the judge of the other court shall forward to the probate court the original of all papers in the action or proceeding and thereafter proceedings shall not be had before the other court, except by appeal or review provided by law or supreme court rule, and the action or proceeding shall be prosecuted in the probate court as a probate court proceeding.

Section 2. This amendatory act shall take effect September 1, 1989.

Section 3. This amendatory act shall not take effect unless all of the following bills of the 85th Legislature are enacted into law:

- (a) House Bill No. 4462.
- (b) House Bill No. 4464.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.