

HOUSE BILL No. 4573

April 10, 1989, Introduced by Reps. Terrell, Clack, DeMars, Hunter, Stallworth, Honigman, Bennane, Harrison, Leland, Joe Young, Sr., Power, Sikkema, Martin and Bandstra and referred to the Committee on Judiciary.

A bill to amend the title and section 1 of Act No. 42 of the Public Acts of 1949, entitled as amended

"An act to confer power upon the circuit court of this state to include in decrees of divorce and of separate maintenance provisions awarding to a party all or part of the property, either real or personal, owned by his or her spouse if the facts establish that the party contributed to the acquisition, improvement, or accumulation of the property,"

as amended by Act No. 215 of the Public Acts of 1983, being section 552.401 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 1 of Act No. 42 of the
2 Public Acts of 1949, as amended by Act No. 215 of the Public Acts
3 of 1983, being section 552.401 of the Michigan Compiled Laws, are
4 amended to read as follows:

TITLE

1
2 An act to confer power upon the ~~circuit~~ DOMESTIC RELATIONS
3 court of this state to include in decrees of divorce and of sepa-
4 rate maintenance provisions awarding to a party all or part of
5 the property, either real or personal, owned by his or her spouse
6 if the facts establish that the party contributed to the acquisi-
7 tion, improvement, or accumulation of the property.

8 Sec. 1. The ~~circuit~~ DOMESTIC RELATIONS court of this
9 state may include in any decree of divorce or of separate mainte-
10 nance entered in the ~~circuit~~ DOMESTIC RELATIONS court appropri-
11 ate provisions awarding to a party all or a portion of the prop-
12 erty, either real or personal, owned by his or her spouse, as
13 appears to the court to be equitable under all the circumstances
14 of the case, if it appears from the evidence in the case that the
15 party contributed to the acquisition, improvement, or accumula-
16 tion of the property. The decree, upon becoming final, shall
17 have the same force and effect as a quitclaim deed of the real
18 ~~estate~~ PROPERTY, if any, or a bill of sale of the personal
19 property, if any, given by the party's spouse to the party.

20 Section 2. (1) This amendatory act shall take effect
21 January 1, 1990.

22 (2) This amendatory act shall not take effect unless Senate
23 Bill No. _____ or House Bill No. 4567 (request no. 01659'89) of
24 the 85th Legislature is enacted into law.